

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/3/2020 4:59:49 PM  
**To:** (b)(6), (b)(7)(C)  
**CC:** (b)(6), (b)(7)(C)  
**Subject:** FW: Civil Unrest  
**Attachments:** 15Aug2020 4th of July Support .docx; 0900 CBP Operational Response 8-1-2020.docx

Sir attached is the latest reporting for both the 4<sup>th</sup> of July and Portland RFA. We are in the process of updating the Portland information from 8/16/20 forward from daily to a comprehensive report through the end of August. Please let me know if you have any questions.

(b)(6), (b)(7)(C)  
Branch Chief (ACPA)  
Information and Incident Coordination Center  
CBP Watch  
Operations Support  
(b)(6), (b)(7)(C) (Office)  
(b)(6), (b)(7)(C) (Cell)



**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, September 3, 2020 12:37 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: Civil Unrest

Please get (b)(6), (b)(7)(C) a copy, thx.

Sent from my iPad

Begin forwarded message:

**From:** (b)(6), (b)(7)(C)  
**Date:** September 3, 2020 at 12:14:00 PM EDT  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: Civil Unrest

Thanks, can I get a copy of it...OCA is asking for our deployment info and it keeps coming up in these congressional's, not sure why they don't just provide that.

(b)(6), (b)(7)(C)

Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



From: (b)(6), (b)(7)(C)

Sent: Thursday, September 3, 2020 11:53 AM

To: (b)(6), (b)(7)(C)

Subject: Re: Civil Unrest

Yes there is a summary doc w basics format coordinated w OCA.

We just had Portland and July 4th separate due to Incident Posts.

(b)(6), (b)(7)(C)

Director  
Information and Incident Coordination Center  
Operations Support  
Customs and Border Protection

On Sep 3, 2020, at 11:23 AM, (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) wrote:

(b)(6), (b)(7)(C)

Is sitroom/ops support still tracking all civil unrest responses by CBP, locations and number of personnel?

(b)(6), (b)(7)(C)

Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)  
<image001.png>

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:**

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	<b>(b)(7)(E)</b>	<b>(b)(7)(E)</b>	<b>(b)(7)(E)</b>
ELC				
YUM				
TCA				
EPT				
BBT				
DRT				
LRT				
RGV				
MIP				
BLW				
EPW				
HVM				
GFN				
DTM				
BUN				
SWE				
HLT				
USBPHQ				
Total				

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 06, 2020, 1000hrs

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (PAX): OFO SRT is providing SRT Officers from the Blaine POE, USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team**: LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues

1. **FPS:**

1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E)
2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [redacted] on a [redacted] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. **USCG**
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [redacted] BLW SOD/MFF and [redacted] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [redacted] (b)(7)(E)

[redacted] (b)(7)(E) and the [redacted] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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0005

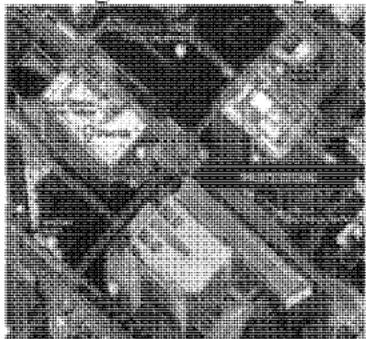
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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Updated: August 06, 2020, 1000hrs



## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 06, 2020, 1000hrs

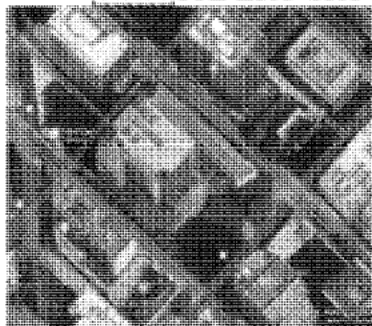
**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

Office: CBP SITROOM- Senior Watch Officer

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E), Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
(b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
(b)(7)(E)
  - OFO SRT received (b)(7)(E)  
(b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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Updated: August 06, 2020, 1000hrs

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - USSS
  - USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.

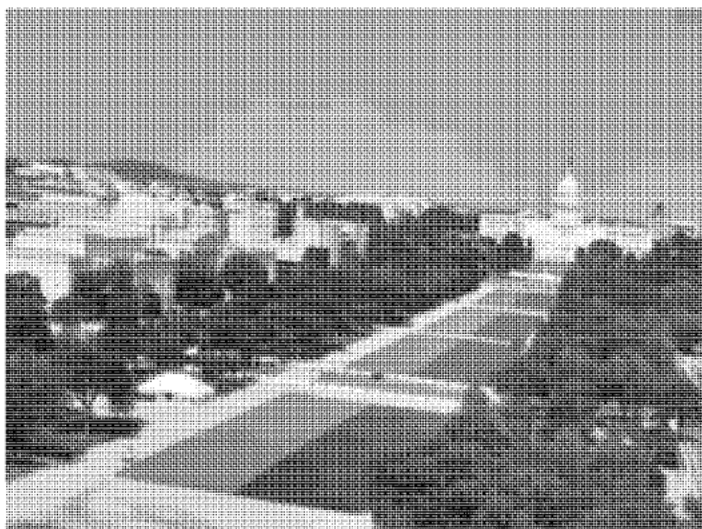
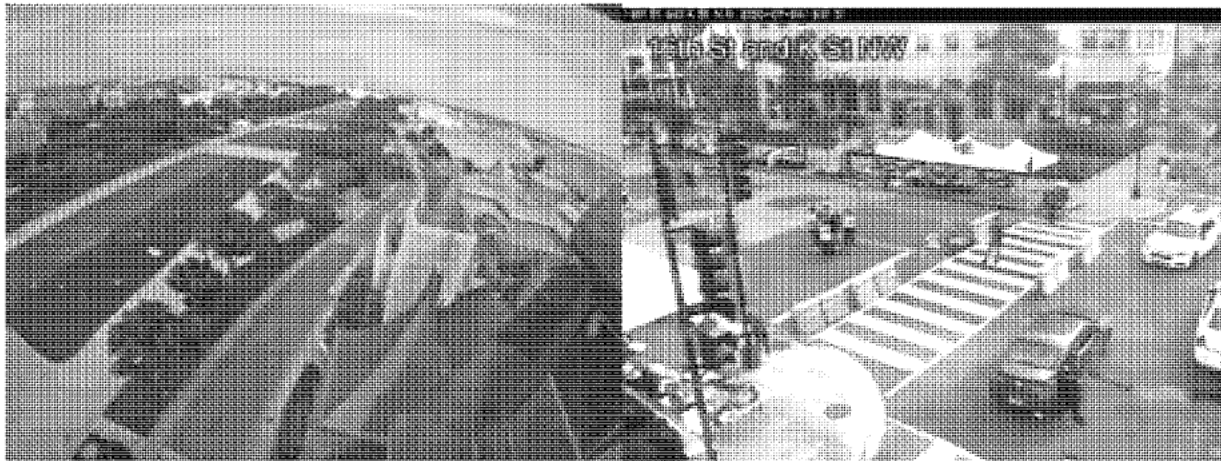


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [REDACTED] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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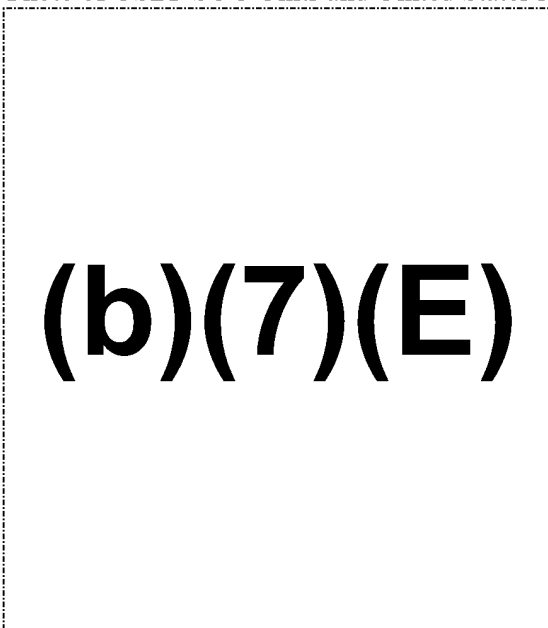
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) Courthouse. (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) Building. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209


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(Approximately 4 miles away from the Hatfield Courthouse).  Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
**(b)(7)(E)**
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E). The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg received (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] OFO SRT
- [REDACTED] SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** **CBP Personnel**

- SDC/SOD BORTAC, BORSTAR, Agents
- SOG (Command and Control)
- SOG
- USBP HQ
- CBP OPA
- OFO SRT
- AMO Ground / Air Crew

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

(b)(7)(E)

(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)  
(b)(7)(E) no further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS: (b)(7)(E)

(b)(7)(E)  
(b)(7)(E) The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] (b)(7)(E) SDC/SOD [REDACTED] (b)(7)(E) BORTAC, [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] (b)(7)(E) BPA UoF)
- [REDACTED] (b)(7)(E) YUM/SOD [REDACTED] (b)(7)(E) BORTAC, [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] (b)(7)(E) SOG (Command and Control)
- [REDACTED] (b)(7)(E) SOG [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E) USBP HQ
- [REDACTED] (b)(7)(E) CBP OPA
- [REDACTED] (b)(7)(E) OFO SRT
- [REDACTED] (b)(7)(E) CBP OPR
- [REDACTED] (b)(7)(E) CBP OTD
- [REDACTED] (b)(7)(E) AMO [REDACTED] (b)(7)(E) Ground [REDACTED] (b)(7)(E) Air Crew [REDACTED] (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) agents were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

#### **CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### **CBP MANPOWER 7/25/20: CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (Permanent / (b)(7)(E))

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the **(b)(7)(E)** and **(b)(7)(E)**. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- **(b)(7)(E)** OFO SRT
- **(b)(7)(E)** YUM Admin
- **(b)(7)(E)** SOG BTC
- **(b)(7)(E)** SOG BST
- **(b)(7)(E)** EPT BTC
- **(b)(7)(E)** EPT CIT
- **(b)(7)(E)** ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / [ (b)(7)(E) ] were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] EPT CIT
- [REDACTED] ELC CIT
- [REDACTED] AMO
- [REDACTED] TCA MRT
- [REDACTED] SOG Command
- [REDACTED] SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and: (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and: (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: [REDACTED] coverage throughout the night from 2200-0300 tonight. [REDACTED]

**CBP MANPOWER 7/29/20: [REDACTED] CBP Personnel**

- [REDACTED] USBP
- [REDACTED] OFO SRT
- [REDACTED] CBP
- [REDACTED] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lowndale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED]  
[REDACTED]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowndale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with  SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and   during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct  flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:**

**Individual Roles/Participants:**

1.  x CDO
2.  x
3.  x
4.  x AMCIT
5.  x  flight crews:
6.  x  mechanics:

**Type of Asset Recommended or Capabilities Requested:**  x  helicopters for airborne  and aviation liaison (CDO).

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the: (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST.

(b)(7)(E)

**CBP MANPOWER 08/01/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) Agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST: (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching (b)(7)(E)

**(b)(7)(E)**

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [redacted] SOG HQ (Support)

AMO has [redacted] schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. [redacted]

(b)(7)(E)

(b)(7)(E)

**CBP MANPOWER 08/02/20: [redacted] CBP Personnel**

- [redacted] SOG HQ
- [redacted] SOG BTC
- [redacted] SOG BST
- [redacted] SOG IU
- [redacted] YUM SOD
- [redacted] YUM HQ
- [redacted] YUM IU
- [redacted] DRT SOD
- [redacted] DRT IU
- [redacted] SDC SOD
- [redacted] OFO SRT
- [redacted] OPR
- [redacted] OPA
- [redacted] OI
- [redacted] AMO
- [redacted] TUC MRT
- [redacted] SDC MRT
- [redacted] EPT SOD
- [redacted] EPT IU

CBP Personnel are staged in a QRF posture at three locations. [redacted] agents at the [redacted] (b)(7)(E)

(b)(7)(E)

[redacted] agents at the

(b)(7)(E)

(approximately [redacted])

(b)(7)(E) with an (b)(7)(E) response time), and [redacted] CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) east with a (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated [redacted] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- SOG BST
- SOG IU
- DRT SOD
- DRT IU
- SDC SOD
- OFO SRT
- OPR
- OPA

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- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations, [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) [REDACTED] with an [REDACTED] (b)(7)(E) [REDACTED] response time), and [REDACTED] CBP personnel at the CBP Portland facility (approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] (b)(7)(E) [REDACTED] response).

08/03/2020 at 1900 hours PST: OSP has designated [REDACTED] (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 [REDACTED] (b)(7)(E) [REDACTED] officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed [REDACTED] (b)(7)(E) [REDACTED] munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) EPT SOD

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- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents in a QRF posture at the [REDACTED] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP [REDACTED] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/05/2020 to 08/06/2020:**

At 1700 PST, August 5, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, AMO, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at several locations nearby. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

1. [REDACTED] BLW Peer Support
2. [REDACTED] CBP OIT

AMO has [REDACTED] scheduled flight for 2200 hours PST [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/05/20: [REDACTED] CBP Personnel**

1. [REDACTED] SOG HQ
2. [REDACTED] SOG BTC
3. [REDACTED] SOG BST
4. [REDACTED] SOG IU
5. [REDACTED] DRT SOD
6. [REDACTED] DRT IU
7. [REDACTED] SDC SOD
8. [REDACTED] OFO SRT
9. [REDACTED] OPR
10. [REDACTED] OPA
11. [REDACTED] AMO
12. [REDACTED] TCA MRT
13. [REDACTED] EPT SOD
14. [REDACTED] EPT IU
15. [REDACTED] BLW
16. [REDACTED] CBP OIT

08/05/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents are able to respond from the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/05/2020 at 2052 hours PST: OSP reports three vehicles blocking the intersection of 3<sup>rd</sup> St. /Madison Street. No reported crowd size.

08/05/2020 at 2134 hours PST: Observation Post reports crowd size of approximately 30-40 protesters in front of the Justice Center.

08/05/2020 at 2147 hours PST: AMO launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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08/05/2020 at 2237 hours PST: Observation Post reports no change in crowd size. No illicit activity to report.

08/05/2020 at 2323 hours PST: OSP reports all protesters clear of area in front of Hatfield Courthouse and Justice Center.

08/05/2020 at 2400 hours PST: AMO concludes aircraft flight.

08/05/2020 at 0143 hours PST:

1. FPS gave the stand down order
2. No additional significant incidents/injuries to report at the Federal facilities.
3. No arrests.
4. No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/06/2020 to 08/07/2020:**

At 1700 PDT (2000 EDT), August 6, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E) (b)(7)(E). The courthouse will be sealed, and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations, providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2130 hours PDT (0130 hours EDT). (b)(7)(E)

**CBP MANPOWER 08/06/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT

Office: CBP SITROOM- Senior Watch Officer

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- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) BLW
- (b)(7)(E) CBP OIT

08/06/2020 at 1900 hours PDT (2200 EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

08/06/2020 at 2052 hours PDT (2352 EDT): Observation Post reports 30 protesters at the Lownsdale Park area. OSP also reports three vehicles blocking traffic on 3<sup>rd</sup> Street in front of the Justice Center.

08/07/2020 at 0110 hours PDT (0410 hours EDT):

- FPS gave the stand-down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to the path forward. CBP will be on standby at a location to be determined in a QRF posture.

**CBP Portland Team Sit Rep 08/08/2020 to 08/09/2020:**

At 1700 PST, August 8, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2200 hours PST. (b)(7)(E)

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**CBP MANPOWER 08/08/20** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) CBP OIT

CBP Personnel are staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response). (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) capable of deploying at (b)(7)(E) notice. (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/08/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/08/2020 at 2055 hours PST: OSP reports three vehicles blocking 3<sup>rd</sup> St. /Main St. in front of the Justice Center and two vehicles blocking 3<sup>rd</sup> St. /Madison in front of the Edith Green Federal Building.

08/08/2020 at 2227 hours PST: Observation Post reports approximately 100 protesters at the Chapman/ Lownsdale Square.

08/08/2020 at 2258 hours PST: Observation Post reports vehicles blocking 3<sup>rd</sup> St. have cleared the area.

08/08/2020 at 2330 hours PST: Observation Post reports no protesters in front of the Hatfield Courthouse.

08/09/2020 at 0050 hours PST: Observation Post reports no protesters in front of the Hatfield Courthouse.

08/09/2020 at 0130 hours PST: Observation Post reports a crowd of approximately 40 in front of the Hatfield Courthouse.

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08/09/2020 at 0207 hours PST:

- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/07/2020 to 08/08/2020:**

At 1700 PDT (2000 EDT), August 7, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E) (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2200 hours PDT (0100 hours EDT). (b)(7)(E)

**CBP MANPOWER 08/07/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

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• (b)(7)(E) CBP OIT

08/07/2020 at 1900 hours PDT (2200 hours EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) capable of deploying at (b)(7)(E) notice. (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/07/2020 at 1905 hours PDT (2205 hours EDT): Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse.

08/07/2020 at 2210 hours PDT (0110 hours EDT): AMO launches (b)(7)(E) helicopter to assist with over watch operations.

08/07/2020 at 2252 hours PDT (0152 hours EDT): OSP reports two mortar fireworks thrown inside the fence surrounding the Hatfield Courthouse. Observation Post reports fireworks launched from 3<sup>rd</sup> St./ Salmon St. area. No injuries reported at this time.

08/07/2020 at 2254 hours PDT (0154 hours EDT): OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/08/2020 at 0210 hours PDT (0510 hours EDT):

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/09/2020 to 08/10/2020:**

At 1700 PST, August 9, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

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Newly arrived personnel in Portland AOR:

- [REDACTED] OFO SRT replace departing [REDACTED] OFO SRT.

AMO has [REDACTED] scheduled flight projected at 2130 hours PST. [REDACTED] (b)(7)(E)

CBP Personnel returned all issued [REDACTED] (b)(7)(E) to OIT Personnel.

**CBP MANPOWER 08/09/20: [REDACTED] CBP Personnel**

- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] AMO
- [REDACTED] TCA MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU
- [REDACTED] CBP OIT

CBP Personnel are staged in a QRF posture. [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents will remain in a QRF posture at their respective [REDACTED] (b)(7)(E) ([REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/09/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/09/2020 at 2055 hours PST: OSP reports approximately 15 protesters with five vehicles blocking Madison St. /Main St. in front of the Justice Center.

08/09/2020 at 2356 hours PST: AMO returns to base and concludes flight for the evening.

08/10/2020 at 0010 hours PST: OSP reports no crowd activity in front of Hatfield Courthouse or the Justice Center.

08/10/2020 at 0135 hours PST:

- FPS gave the stand down order
- All QRF Personnel ordered stand down.

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- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/10/2020 to 08/11/2020:**

At 1700 PST, August 10, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OFO SRT replace departing (b)(7)(E) OFO SRT.

AMO has no scheduled flights.

**CBP MANPOWER 08/10/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture. (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response), and (b)(7)(E) agents will remain in a QRF posture at their respective (b)(7)(E) (located (b)(7)(E) with a (b)(7)(E) response).

08/10/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/10/2020 at 2250 hours PST: Observation post reports two vehicles blocking traffic at 3<sup>rd</sup> St. / Main St. Approximately 20 individuals loitering near Chapman Square and Lownsdale Square. No protest reported.

08/11/2020 at 0122 hours PST: Observation Post reports two individuals cross the Hatfield Courthouse fence onto federal property.

08/11/2020 at 0123 hours PST: Observation Post reports the two individuals exiting federal property.

08/11/2020 at 0205 hours PST:

- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/11/2020 to 08/12/2020:**

At 1700 PST, August 11, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) DTM SOD (Operational evening of 08/12)

AMO has no scheduled flights.

**CBP MANPOWER 08/11/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT

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- [REDACTED] EPT SOD
- [REDACTED] EPT IU

08/11/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents will remain in a QRF posture at their respective [REDACTED] (b)(7)(E) located [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/11/2020 at 2147 hours PST: Observation Post reports 25-30 protesters in front of the Justice Center.

08/11/2020 at 2149 hours PST: Observation Post reports two vehicles blocking traffic at 3<sup>rd</sup> St. / Madison Ave.

08/12/2020 at 0055 hours PST:

- No crowd reported
- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/12/2020 to 08/13/2020:**

At 1700 PST, August 12, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

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AMO has no scheduled flights.

**CBP MANPOWER 08/12/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) DTM SOD

08/12/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) located (b)(7)(E) with a (b)(7)(E) response.

08/12/2020 at 1710 hours PST: CBP Personnel deployed to assist ERO in Bend, Oregon. ERO requesting assistance at (b)(7)(E)

**(b)(7)(E)**

Command Post has redirected approximately (b)(7)(E) agents/officers to assist ERO with (b)(7)(E) (b)(7)(E)

All QRF elements currently travelling to Bend, OR. Mission Commander (b)(6), (b)(7)(C) has made communication with Bend Police Department Commander (b)(6), (b)(7)(C) to for updates on the situation. Bend Police Department is only monitoring the situation. Deschutes County Sheriff's Office and Oregon State Police are not involved.

08/12/2020 at 2004 hours PST: Estimated crowd size of 250 protester reported in Bend, Oregon.

08/12/2020 at 2023 hours PST: (b)(7)(E)  
(b)(7)(E)

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08/12/2020 at 2025 hours PST: [REDACTED] HSI SRT from Portland, Oregon is enroute to Bend, Oregon.

08/12/2020 at 2030 hours PST: ERO reports [REDACTED] personnel trapped. [REDACTED] (b)(7)(E)

[REDACTED]  
**(b)(7)(E)**

08/12/2020 at 2036 hours PST: [REDACTED] (b)(7)(E)

08/12/2020 at 2057 hours PST: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/12/2020 at 2120 hours PST: [REDACTED] (b)(7)(E)

[REDACTED]  
**(b)(7)(E)**

08/12/2020 at 2135 hours PST: [REDACTED] team reports protestors have attempted to breach the bus through the rear. Currently no protestors have made entry into the bus.

08/12/2020 at 2140 hours PST: [REDACTED] reports social media asking protestors to block the entrance to general area on Southwest Colorado Ave. / Southwest Industrial Way.

08/12/2020 at 2146 hours PST: Central Oregon Redmond Peace Keepers, right wing militia group, reported at the protest sight.

08/12/2020 at 2209 hours PST: All CBP Personnel arrived at ORP. Protesters are actively barricading streets and blocking access to the buses.

08/12/2020 at 2212 hours PST: [REDACTED] (b)(7)(E)

[REDACTED]  
**(b)(7)(E)**

08/12/2020 at 2233 hours PST: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/12/2020 at 2239 hours PST: [REDACTED] (b)(7)(E)

08/12/2020 at 2243 hours PST: [REDACTED] (b)(7)(E)

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08/12/2020 at 2244 hours PST: MRT is making announcements to protesters not to interfere with law enforcement.

08/12/2020 at 2253 hours PST: Final warnings given.

08/12/2020 at 2257 hours PST: (b)(7)(E)

(b)(7)(E)

08/12/2020 at 2300 hours PST: Protesters are throwing objects and actively impeding law enforcement. Agents are currently trying to extract all personnel from the buses.

08/12/2020 at 2310 hours PST: Mission Commander reports to Command Post all personnel extracted from buses. (b)(7)(E)

08/12/2020 at 2313 hours PST: Mission Commander reports all personnel from the buses and involved law enforcement safe and secure from the scene. No munitions deployed. All personnel clear of the area.

08/12/2020 at 2324 hours PST: **\*\*Correction\*\*** Less Lethal Munitions were deployed. (b)(7)(E)

(b)(7)(E)

08/12/2020 at 2333 hours PST: Mission Commander reports to Command Post less lethal munitions were deployed. (b)(7)(E)

(b)(7)(E)

08/12/2020 at 2338 hours PST: Mission Commander reports subjects in custody will be transported to the

(b)(7)(E)

at

(b)(7)(E)

(b)(7)(E)

08/13/2020 at 0030 hours PST: SOG, SOD, HSI SRT recovered both buses

(b)(7)(E)

(b)(7)(E)

08/13/2020 at 0101 hours PST: Mission Commander reports that all CBP Personnel deployed to Bend, Oregon is returning to Portland AOR. No issues to report.

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**CBP Portland Support to FPS to Portland, OR/ Seattle, WA 08/12-08/13**

08/12/2020 at 2129 hours PST: Approximately 200 protesters are reported in front of the Justice Center. Protest remains peaceful at this moment.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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08/12/2020 at 2240 hours PST: Approximately 300 protesters are reported in front of the Justice Center. Protest remains peaceful at this moment.

08/12/2020 at 2253 hours PST: Fire reported in front of the Hatfield Courthouse. One explosion from a mortar firework reported.

08/12/2020 at 2304 hours PST: Multiple fireworks reported in front of the Hatfield Courthouse.

08/12/2020 at 2341 hours PST: OSP reports that PPB announced over loud speaker an unlawful assembly at the Justice Center. PPB deployed are dispersing the crowd.

08/12/2020 at 2357 hours PST: OSP reports multiple fireworks being thrown from the crowd at law enforcement. PPB declares a riot and continues to disperse the crowd.

08/13/2020 at 0007 hours PST: OSP deploys from Hatfield Courthouse to assist PPB with crowd dispersal. Several arrest made.

08/13/2020 at 0145 hours PST:

- No crowd reported
- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/13/2020 to 08/14/2020:**

At 1700 PST, August 13, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the [REDACTED] and [REDACTED]. As of this morning, Oregon State Police are no longer assisting FPS with response to illicit activity on federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- [REDACTED] SOG IU

AMO has no scheduled flights.

**CBP MANPOWER 08/13/20: [REDACTED] CBP Personnel**

- [REDACTED] SOG BTC
- [REDACTED] SOG IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] TCA MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU
- [REDACTED] DTM SOD

08/13/2020 at 1900 hours PST: [REDACTED] Federal Protective Services (FPS) responsive teams and [REDACTED] Special Operations Group U.S. Marshals assigned to the [REDACTED] (b)(7)(E) FPS/ SOG USMS is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents will remain in a QRF posture at their respective [REDACTED] (b)(7)(E) located [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/13/2020 at 2136 hours PST: Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse. Protest is peaceful at this time.

08/13/2020 at 2350 hours PST: Observation Post reports no protesters in front of the Hatfield Courthouse.

08/14/2020 at 0020 hours PST: FPS reports that PPB is demobilizing for the evening.

08/14/2020 at 0138 hours PST:

- No crowd reported
- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**CBP Portland Team Sit Rep 08/14/2020 to 08/15/2020:**

At 1700 PST, August 14, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). As of this morning, Oregon State Police are no longer assisting FPS with response to illicit activity on federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG IU
- (b)(7)(E) OPR

AMO has no scheduled flights.

**CBP MANPOWER 08/14/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) DTM SOD

08/14/2020 at 1900 hours PST: (b)(7)(E) Federal Protective Services (FPS) responsive teams and (b)(7)(E) Special Operations Group U.S. Marshals assigned to the (b)(7)(E) FPS/ SOG USMS is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at the (b)(7)(E)

08/14/2020 at 2044 hours PST: Observation Post reports no protest activity in front of Hatfield Courthouse at this time.

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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08/14/2020 at 2230 hours PST: Observation Post reports 30-40 protesters in front of the Justice Center.

08/15/2020 at 0112 hours PST:

- No crowd reported.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

**CBP Operational Response to DHS CAT RFI Civil Disturbances – Multiple U.S. Cities** (b)(7)(E)

## U.S. Border Patrol:

USBP is working through RFAs and will deliver approved actions in separate emails as they are made available.

### USBP CIVIL DISTURBANCE - C1 DAILY RFI - 05302020

1. Any action(s) undertaken by your Component to prepare for or respond to any incident or event related to a civil disturbance;

### USBP NATIONWIDE TOTALS: \*(Numbers do not include support to Portland, Seattle, or DC since July 4, 2020)

- Total Number of Support Requests: 25
  - 12 requests for personnel to perform crowd control, property protection, and tac medical response
  - 3 requests to provide Less Lethal (b)(7)(E) munitions and (b)(7)(E) munitions
- Total Number of Approvals: 25
- Total Number of Personnel Requested: (b)(7)(E)
  - a. May 30 Total Personnel: (b)(7)(E)
  - b. May 31 Total Personnel: (b)(7)(E)
  - c. June 01 Total: (b)(7)(E)
  - d. June 02 Total: (b)(7)(E)
  - e. August 1 Total: (b)(7)(E)
- Total Number of Personnel Approved: (b)(7)(E)
  - a. May 30 Total: (b)(7)(E)
  - b. May 31 Total: (b)(7)(E)
  - c. June 01 Total: (b)(7)(E)
  - d. June 02 Total: (b)(7)(E)
  - e. August 1 Total: (b)(7)(E)

**San Diego Sector** personnel are on standby to respond for support. Mobile Field Force equipment is staged and ready for deployment. SOD is prepared for immediate response if needed. Several protests in and around the San Diego, CA area turned into civil unrest events on May 30, 2020. USBP Yuma Sector (YUM) supported the Imperial County Sheriff's Office with their request for less lethal munitions. SDC support the San Diego Police Department with a request for the (b)(7)(E) Vehicle and (b)(7)(E) agents to extract injured officers from La Mesa, CA.

San Diego Sector SDC will support the San Diego Sheriff's Office with (b)(7)(E) agents, (b)(7)(E) at each of two locations. Staging area 1 is in (b)(7)(E) Staging location 2 is in (b)(7)(E)

SDC will support SDSO with (b)(7)(E) agents. SDC SOD will support with (b)(7)(E) operators, (b)(7)(E) at each location. SDC Stations will support with the additional (b)(7)(E) at each location. Both locations are staging areas, out of sight, but in close proximity to planned protests. SDC agents will be available to support other State and local law enforcement with crowd control, SDC SOD will provide tactical and tactical medicine capabilities. SDC agents will be available to respond to Border Patrol and other Law Enforcement facilities in the San Diego area should the need arise

- SDSO will be the lead agency
- (b)(7)(E) USBP personnel will support SDSO and other LE agencies as needed.
- Media attention is likely
- No additional costs

#### San Diego Sector Support to San Diego SO and PD

**BLUF:** On May 30, 2020 SDC supported the San Diego SO with their request for less lethal munitions. SDC also supported the San Diego Police Department with a request for the (b)(7)(E) Vehicle and (b)(7)(E) agents to extract injured officers from La Mesa, CA.

#### INFORMATION

- Date of Request: 5/30/2020
- Time Frame: 5/31/2020
- Status: CLOSED
- Request From: San Diego SO and PD
- USBP Supporting Element: SDC Sector and SDC/SOD
- Support Requested: LLM for crowd control / Provide (b)(7)(E) and (b)(7)(E) SOD agents for extraction of injured officers
- Close Outs: Supported

#### OUTCOME

- SDC provided LLM for crowd control
- SDC provided (b)(7)(E) and (b)(7)(E) agents for extraction of injured officers in La Mesa, CA

#### TIMELINE

- 0025: Departing SOD with (b)(7)(E)
- 0035: Arrive at CP
- 0100: Received mission from Incident Commander. (b)(7)(E) with (b)(7)(E) agents along with officers will be on standby as emergency response/officer extraction team
- 0420: SOD team relieved by National City SWAT as emergency response team.
- 0425: SOD agents check out with IC. Depart CP with (b)(7)(E)
- 0435: All SOD agents (b)(7)(E) and clear

06/01/2020

- 0600:

San Diego Sector Support to San Diego County Sheriff's Office

**BLUF:** On May 31, 2020 SDC supported the San Diego County Sheriff's Office with their request for additional Less Lethal Munitions

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 6/01/2020
- Status: Active
- Request From: San Diego SO
- USBP Supporting Element: SDC Sector
- Support Requested: Additional LLM for crowd control
- Close Outs: Supported

OUTCOME:

- SDC provided Less Lethal Munitions to SDSO

TIMELINE:

2150 hrs (31MAY)

- SDC BORTAC, BORSTAR, Strike Team deployed to (b)(7)(E)  
(b)(7)(E)

2215 hrs

- SDC agents deployed at downtown San Diego assisting with the civil unrest will be utilizing (b)(7)(E) to communicate.

San Diego Sector Support to San Diego Sheriff's Office

**BLUF:** San Diego Sector SDC will support the San Diego Sheriff's Office with (b)(7)(E) agents, (b)(7)(E) at each of two locations. Staging area 1 is in (b)(7)(E) Staging location 2 is in (b)(7)(E)

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 6/01/2020
- Status: Active
- Request From: San Diego Sheriff's Office
- USBP Supporting Element: SDC Sector
- Support Requested: General Law Enforcement Support, Tactical, Tactical Medical
- Close Outs: Supported

OUTCOME:

- 06/01/2020: 0600hrs: SDC will maintain a contingency of (b)(7)(E) SOD agents at the San Diego Sheriff's Command Post. No reports of injuries to any agents, no destruction of BP property, no deployment of less lethal force by BP.



- No further reports of incidents aside from scattered arrests. No live social media feeds, videos of last night's events still being posted. One protest scheduled for Monday 01JUNE2020 at the San Diego Police Headquarters (1401 Broadway, San Diego, CA

TIMELINE:

- PENDING

SDC Support to San Diego FPS

**BLUF:** On June 5, 2020, SDC will deploy [redacted] agents to support FPS San Diego.

INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 – 6/5/2020
- Status: Active
- Request from: FPS
- USBP Supporting Element: [redacted] MFF trained and equipped agents ([redacted] WC, [redacted] SBPA, [redacted] BPA); [redacted] (b)(7)(E) vehicles
- Closeout: Supported

OUTCOME:

- Closed

TIMELINE:

- June 5, 2020

SDC Support to San Diego La Mesa PD

**BLUF:** On August 01, 2020 and at the request of La Mesa PD, SDC/SOD will deploy in a "Support Role" Force Protection Contingent to assist La Mesa PD during a planned protest. Agents will utilize agency approved [redacted] (b)(7)(E) uniforms with agency designators. SDC/SOD will provide tactical capabilities, tactical medical, and life and safety protection measures for the general public and first responders. SDC/SOD will only respond if La Mesa PD requires assistance should the event escalate into violence.

INFORMATION

- Date of Request: 7/31/2020
- Time Frame: 8/1/2020 – 8/1/2020
- Status: Active
- Request from: La Mesa Police Department  
USBP Supporting Element: [redacted] SOD [redacted] BORTAC [redacted] BORSTAR); [redacted] (b)(7)(E) [redacted] (b)(7)(E) and [redacted] (b)(7)(E) Units
- Closeout: Supported

OUTCOME:

- Closed

TIMELINE:

- August 1, 2020

**El Centro Sector** has placed all agents on high alert at all sector, station, and checkpoints. Messaging to all personnel. Communication and information sharing with neighboring sectors, Intel and state, local, tribal, territorial, private-sector or international partners.

- Personnel continue to be notified to prepare for immediate deployment as necessary to include SOD and MFF
- High alert at all sector, station, and checkpoints
- Continued messaging to all personnel
- Communication and information sharing with neighboring sectors, Intel and state, local, tribal, territorial, private-sector or international partners
- The Imperial Valley Social Justice Committee and Black Lives Matter (BLM) have planned a protest on June 1, 2020 at County Courthouse (939 Main Street El Centro, CA).

“I Can’t Breathe Protest: A peaceful, socially distant call for justice on the courthouse steps”

Organizers: Imperial Valley BLM president: (b)(6), (b)(7)(C) (organizer Imperial Valley) Social Justice: (b)(6), (b)(7)(C)

- Social Media for the event:  
363 likes, 401Shares

Riverside SO has requested BP to provide mobile surveillance during planned demonstrations on I-10 between Cook and Bob Hope. USBP will be (b)(7)(E)

INFORMATION

- Date of Request: 6/01/2020
- Time Frame: 6/02/2020
- Status: Active
- Request from: Palm Desert / Riverside SO
- USBP Supporting Element: agents
- Support Requested: Incident command and LP/OP
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

On June 1, 2020, ELC will support El Centro PD’s QRF established within close proximity to a planned Black Lives Matter protest. QRF will provide support in and around the

Courthouse building and be available to support other law enforcement partners with tactical capabilities, crowd control, Horse Patrol, and sUAS.

INFORMATION

- Date of Request: 6/01/2020
- Time Frame: 6/02/2020
- Status: Active
- Request from: El Centro PD
- USBP Supporting Element: (b)(7)(E) agents, HPU, (b)(7)(E) sUAS
- Support Requested: Prelim Planning, Tactical Capabilities, and Crowd Control
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

**Tucson Sector** responded to USBP tasker identifying short notice deployable agents to include EMS, (b)(7)(E) vehicles to support same.

- Cadre of agents identified /notified to prepare for possible short notice deployment. Vehicles and other support equipment to include (b)(7)(E) teams prepped as well. MRT agents on standby to respond locally to any threats on BP facilities.
- Station commanders/ACTT Director & DC Ops maintain comms with other Federal, state, local and tribal LEAs to coordinate response efforts and share info/intel related to ongoing protests as it becomes available.
- Agents were advised to take extra caution while traveling both on and off duty. Agents encouraged to be on high alert at all times. (b)(7)(E) (b)(7)(E) Agents were advised that (b)(7)(E) along with several other messaging platforms will be utilized to distribute updates and messages.
- The (b)(7)(E) to provide more coverage to monitor active protests occurring in Arizona and immediately pass on specific threat information to BP and OA partners.
- TF Officers and BPA: (b)(7)(E) (b)(7)(E) (b)(7)(E) A sitrep was created and will be updated once a day at a minimum until ops normal.
- Agents within SIU specifically meeting the certifications: (b)(7)(E) for SOD deployment to the Phoenix Metropolitan Area were individually contacted and provided requirements. Any logistical issues presented by the agents were solved.

TCA Support to Phoenix PD

**BLUF:** Tucson Sector will support Phoenix PD with providing resupply of less lethal munitions. Transfer will take place at (b)(7)(E) at approximately 1900 MST

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 5/31/2020
- Status: Active
- Request From: Phoenix PD
- USBP Supporting Element: TCA
- Support Requested: LLM for crowd control (see breakdown below)
- Close Outs: Supported

(b)(7)(E)

OUTCOME:

(b)(7)(E)

TIMELINE:

- 1600 EST: TCA transferred (b)(7)(E)

**Rio Grande Valley Sector:**

KIN Support to Kingsville

**BLUF:** On June 2, 2020, (b)(7)(E) KIN agents will support Kingsville PD QRF. This QRF was established as a precaution in advance of planned demonstrations in Kingsville, TX. The QRF will be available to support other state and local law enforcement with a tactical, tactical medicine capability and crowd control should the need arise.

INFORMATION

- Date of Request: 6/02/2020
- Time Frame: 6/03/2020
- Status: Active
- Request from: Kingsville PD
- USBP Supporting Element: (b)(7)(E)
- Support Requested: Prelim Planning, Tactical Capabilities, and Crowd Control
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Rio Grande Valley Sector Support to Refugio, Texas County Sherriff's Office (RCSO)

**BLUF:** On June 6, 2020, (b)(7)(E) Rio Grande Valley (RGV) agents will support RCSO by providing a law enforcement response capability and a tactical medicine capability for RCSO and other LE agencies during a planned protest in Refugio, TX.

**INFORMATION**

- Date of Request: 6/6/2020
- Time Frame: 6/6/2020 – TBD
- Status: Active
- Request from: RCSO
- USBP Supporting Element: (b)(7)(E) agents (b)(7)(E) SBPAs, (b)(7)(E) BPAs
  - (b)(7)(E) of (b)(7)(E) BPAs are EMTs))
- Closeout: Supported

**Vehicles**

- (b)(7)(E) USBP service vehicles
- (b)(7)(E) USBP EMT service vehicle

**OUTCOME:**

- Pending

**TIMELINE:**

- June 6, 2020 - TBD

**Yuma Sector**

- At this time Yuma Sector is monitoring a local peaceful protest. Yuma Sector will continue to work with local law enforcement and update any enforcement posture changes.
- Yuma Sector Special Operations Detachment (YUMSOD) and Yuma Sector Intelligence Unit (YUMSIU) issued a warning order for possible local protest from open source information.

Yuma Sector Support to Imperial County Sheriff's Office

**BLUF:** On May 30, 2020 YUM supported the Imperial County Sheriff's Office (ICSO) with their request for less lethal munitions.

**INFORMATION**

- Date of Request: 5/30/2020
- Time Frame: 5/31/2020
- Status: CLOSED
- Request From: Imperial County SO
- USBP Supporting Element: YUM Sector

- Request Details: LLM for crowd control
- Close Outs: Supported

OUTCOME:

- YUM provided Less Lethal Munitions to ICSO

TIMELINE:

- PENDING

Yuma Sector and Blythe Station Support to Blythe Police Department (BPD)

**BLUF:** On June 6, 2020 YUM and Blythe Station will, at the request of BPD, establish and stage a Quick Reaction Force at the BPD Incident Command Center. USBP personnel will provide tactical capabilities while providing crowd control and protecting life and safety of the general public and first responders. BPD has requested assistance from BLY to augment their response to a planned “Black Lives Matter” event in downtown Blythe, CA. USBP personnel will provide security should local law enforcement deem it necessary. The event organizers have advertised this as a peaceful demonstration; USBP will standby and only assist if the demonstration becomes violent.

INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/6/2020
- Status: Active
- Request from: Blythe PD
- USBP Supporting: (b)(7)(E) agents, (b)(7)(E) MFF trained agents, equipment
- Closeout: Supported

OUTCOME:

- TBD

TIMELINE:

- PENDING

**El Paso Sector**

- SOD/Mobile Field Force are on standby. As a steady state, EPT is always available to respond for any assistance at any time. EPT uses ENS for emerging situations. BPA (b)(7)(E) are assigned to the (b)(7)(E)
- EPT-IOC is currently monitoring the (b)(7)(E) for real time information sharing between all LEO agencies in the El Paso, TX area.
- EPT-IOC conducted an ENS Safety notification to all EPT personnel on the evening of 05/30/2020 regarding protests that may turn violent towards law enforcement personnel.

- EPT Sector HQ perimeter camera being monitored for activity.
- El Paso Sector will provide (b)(7)(E) Special Operations Agents to provide crowd control and physical security in and around the El Paso Police Department (EPPD) Headquarters and Memorial Park. Agents will be available to support other State and Local Law Enforcement with a tactical and tactical medicine capability if needed.
- El Paso PD (Asst. Chief (b)(6), (b)(7)(C)) has requested USBP support for tonight and tomorrow in the event they are outmanned and met with unruly protestors.

EPT/SOD Support to El Paso PD

**BLUF:** On May 31, 2020, EPT/SOD will provide crowd control and physical security in and around El Paso PD HQ and Memorial Park.

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 5/31/2020
- Status: Active
- Request From: El Paso PD
- USBP Supporting Element: EPT/SOD (b)(7)(E)
- Support Requested: Physical Security and Crowd Control
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

EPT Support to El Paso PD

**BLUF:** From June 1 through June 2, 2020, EPT will assist EPPD crowd control and physical security during planned demonstrations. EPT agents will remain on standby and only respond when requested by EPPD.

INFORMATION

- Date of Request: 6/01/2020
- Time Frame: 6/02/2020
- Status: Active
- Request From: El Paso PD
- USBP Supporting Element: EPT SOD (b)(7)(E) estimated)
- Support Requested: Physical Security and Crowd Control
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

EPT Support to EPPD and DPS

**BLUF:** On Monday, June 1, 2020, EPT SOD will provide crowd control and physical security in and around Memorial Park, located at 1701 N. Copia St.

INFORMATION

- Date of Request: 6/01/2020
- Time Frame: 6/02/2020
- Status: Active
- Request from: EPPD and DPS
- USBP Supporting Element: [REDACTED]
- Support Requested: Crowd Control and Physical Security
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

EPT Support to EPPD and DPS

**BLUF:** On Tuesday, June 2, 2020, EPT SOD will provide crowd control and physical security in and around the El Paso Aztec Calendar Park, located at 401 E. San Antonio Ave.

INFORMATION

- Date of Request: 6/02/2020
- Time Frame: 6/03/2020
- Status: Active
- Request from: EPPD and DPS
- USBP Supporting Element: [REDACTED]
- Support Requested: Crowd Control and Physical Security
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

EPT Support to EPPD and DPS

**BLUF:** On Tuesday, June 2, 2020, EPT SOD will provide crowd control and physical security in and around the El Paso City Hall, located at 300 N. Campbell St.

INFORMATION



- Date of Request: 6/02/2020
- Time Frame: 6/03/2020
- Status: Active
- Request from: EPPD and DPS
- USBP Supporting Element: (b)(7)(E)
- Support Requested: Crowd Control and Physical Security
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- Three planned protests that are organized by several groups to include BLM and Brown Berets in the next 36 hours.
- 1830: Monday - Memorial Park, Central El Paso (Various Groups)
- 1000: Tuesday - City One Building (BLM)
- 1900: Tuesday - Aztec Plaza, Downtown (Brown Berets)

**EPT Support to New Mexico State Police, Alamogordo PD, and Otero County SO – June 2, 2020**

**BLUF:** On June 2, 2020, Alamogordo Station, in response to a request from NMSP, Alamogordo PD, and Otero County SO, will deploy MFF and Less Lethal certified agents for crowd control and life safety measures. (b)(7)(E) HIS agents are responding to assist NMSP

**BACKGROUND:** NMSP notified Alamogordo Station of a possible protest in Alamogordo, NM scheduled to begin at 1100 (MST). Social Media posts indicate local known criminals have expressed interest in attending, which may spark criminal activity.

- (b)(7)(E) ALA MRT on standby
- (b)(7)(E) ALA BPAs on standby
- (b)(7)(E) Reactionary Force agents
- PENDING EXSUM

**El Paso Sector**

**Las Cruces Station (LAS) Support to Las Cruces Police Department (LCPD)**

**BLUF:** On June 2, 2020, LAS in response to a request from LCPD, New Mexico State University PD (NMSUPD), New Mexico State Police (NMSP) and the Dona Ana Sheriff Office (DASO), will deploy Less Lethal and tactical agents for crowd control, life safety measures and mitigate risks to personnel and property. (b)(7)(E) USBP agents and (b)(7)(E) SOG agents are responding to assist LCPD.

**Background:** LCPD has requested assistance from LAS to augment manpower in the event potential protests become violent. LCPD notified LAS of camera footage from February 29, 2020, involving an LCPD officer and a combative suspect who expired during the encounter. The NMSUPD, NMSP and the DASO will also respond.

**INFORMATION**

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 to 6/9/2020
- Status: Active
- Request from: LCPD
- USBP Supporting Element: (b)(7)(E) Agents, (b)(7)(E) SOG Operators
- Support Requested: Tactical capabilities, mitigate risk, life safety issues
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

**Big Bend Sector:**

- BBT is compiling a list of all personnel who are available to be activated to respond if needed within (b)(7)(E) hours.
- EMTs have been requested to verify complete inventory of all equipment.
- BBT-SIU is tracking and reporting any planned protests within the AOR.
- Stations have received guidance to ensure their compounds are secured.

Alpine Station to Support to Alpine Police Department (APD)

**BLUF:** On June 6, 2020, in support of the Alpine Police Department, the Alpine Border Patrol Station will have (b)(7)(E) agents on stand-by at APT station (b)(7)(E) response time), in the event a planned Black Lives Matter peaceful protest escalates and requires additional law enforcement for life and safety assistance.

**INFORMATION**

- Date of Request: 6/3/2020
- Time Frame: 6/6/2020
- Status: Active
- Request from:
- USBP Supporting Element: (b)(7)(E) agents, (b)(7)(E) vehicles
- Support Requested: law enforcement for life and safety assistance.
- Closeouts: Supported

**OUTCOME:**

- PENDING

TIMELINE:

- PENDING

BBT/MID Support to Ector County SO and Texas DPS

**BLUF:** On June 6, 2020, Midland Station, at the request of ECSO and DPS, will establish a Quick Reactionary Response Team to support local law enforcement with crowd control and provide life and safety protection measures for the general public and first responders should the need arise. Agents will stand-by at the staging area and be prepared to respond in the event of an escalation in violence.

INFORMATION

- MID will deploy [redacted] agents (PAIC [redacted] BPA, [redacted] BPA [redacted])
- [redacted] (b)(7)(E) are MFF certified or equipped
- MID will utilize [redacted] (b)(7)(E) Units

OUTCOME:

- TBD

TIMELINE:

- June 6, 2020 - TBD

**Del Rio Sector**

- SOD is on stand-by and ready for immediate deployment.
- Messaging to all employees concerning planned or probable protest location and times. Increased situational awareness messaging to all employees
- Increased monitoring of situation of closest city centers (San Antonio, Austin, Houston and Dallas, TX)
- Designation on DRT LNO/POC (PAIC [redacted] (b)(6), (b)(7)(C) [redacted], POC will deploy with [redacted] (b)(7)(E) [redacted] (b)(7)(E) personnel and provide reporting.
- PAIC and SOD Commanders have contacted LE partners and community stakeholders concerning possible civil disturbances and ascertain current posture of partner agencies.

**Special Operations Group**

A warning order was issued to our teams to remain on the standard [redacted] hour recall for a possible deployment ordered by HQ. Also constructed a ConOp for that can be used for any deployments.

SOG Support to BUN

**BLUF:** On May 31, 2020, SOG and will support Buffalo Sector's efforts to assist local law enforcement agencies as needed to protect the life and safety of the general public and first responders. Half of this contingent is slated to support HSI Buffalo, while the other half is supporting Niagara Falls Sheriff's Office providing crowd control and Tactical Medic support. Agents were redirected to NCR

## INFORMATION

- Date of Request: 5/31/2020
- Time Frame: Not Specified
- Status: Active
- Request From: HSI Buffalo and Niagara Falls SO
- USBP Supporting Element: SOG (b)(7)(E) agents)
- Support Requested: Situational Awareness, Tactical, Tactical Medical, and General Law Enforcement
- Close Outs: Supported

## OUTCOME:

- PENDING

## TIMELINE:

06/01/2020:

- 0610 EST: (b)(7)(E) PAX enroute to Buffalo from EPT via (b)(7)(E) (ETA 1800 EST)
- 1200: SOG elements re-directed to the National Capital Region (NCR)
- 1400: AMO Flight re-fueled in (b)(7)(E) wheels up at 14:36hrs in route to NCR, ETA 1800 EST at (b)(7)(E) Airport.
- USBP HQ arranging vehicle transport for SOG elements

**Laredo Sector** has identified the following personnel/vehicles ready to deploy within the (b)(7)(E) hour window (forwarded earlier today corridor ASC on earlier RFI - National deployment for riots)

- Total of (b)(7)(E) agents:
  - (b)(7)(E) BPAs with vehicles (b)(7)(E)
  - (b)(7)(E) BORTAC agents with (b)(7)(E) vehicles
  - (b)(7)(E) BORSTAR agents with (b)(7)(E) vehicles
  - (b)(7)(E) MRT agents with (b)(7)(E) vehicles
- Additionally:
  - LRT currently has (b)(7)(E) EMTs
  - LRT currently has (b)(7)(E) agents sector wide
  - (b)(7)(E) vehicles sector wide
  - LRT BIC is currently monitoring events and local protests
- CAVEAT: LRT is continuing to identify additional deployable personnel

## Buffalo Sector

An agent sustained minor injuries from a rock thrown by a demonstrator. The agent was conducting perimeter security at the Federal Courthouse located in Buffalo, NY. There were no arrests made.

1. Buffalo Sector Support to HSI QRF

**BLUF:** On May 30 through May 31, 2020, BUN will assist HSI QRF and provide (b)(7)(E) BORSTAR and/or BORTAC agents as a precaution in advance of a planned protests in downtown Buffalo, NY.

INFORMATION

- Date of Request: 5/30/2020
- Time Frame: 5/31/2020
- Status: Ongoing (See Outcome)
- Request From: HSI QRF
- USBP Supporting Element: BUN/SOD
- Support Requested: General law enforcement support
- Close Outs: Supported

OUTCOME

- Agents at the Buffalo Sector reported an agent sustained minor injuries from a rock thrown by a demonstrator. The agent was conducting perimeter security at the Federal Courthouse located in Buffalo, NY. There were no arrests made.

TIMELINE

- PENDING

2. Buffalo Sector Support to HSI Buffalo

**BLUF:** Buffalo HSI SAIC has requested (b)(7)(E) BUN/SOD to augment an HSI SRT Quick Reaction Force (QRF) established as a precaution in advance of demonstrations anticipated in downtown Buffalo.

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 6/01/2020
- Status: Active
- Request From: Buffalo HSI
- USBP Supporting Element: BUN/SOD
- Support Requested: Tactical and Tactical Medical
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

3. Buffalo Sector Support to Niagara County Sheriff's Office

**BLUF:** NCSO requested assistance from the Niagara Border Patrol Station to provide force augmentation for crowd control and physical security.

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 6/01/2020
- Status: Active
- Request From: Niagara County Sheriff's Office
- USBP Supporting Element: Niagara Falls Station (b)(7)(E) Agents)
- Support Requested: Crowd Control, Physical Security
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

**BLUF for RFA #1:** The Buffalo HSI SAIC has requested (b)(7)(E) USBP Special Operations Agents (BORTAC/BORSTAR) from Buffalo Sector (BUN) to augment an HSI SRT Quick Reaction Force (QRF), established as a precaution in advance of demonstrations anticipated in downtown Buffalo, NY on May 31, 2020. If approved, BUN will provide the support requested.

- BUN BORTAC and BORSTAR agents will coordinate with HSI SRT and establish a joint QRF, staged at the (b)(7)(E) (b)(7)(E). The QRF will provide crowd control and physical security in and around the court building, and be available to support the Buffalo Police Department (BPD) and U. S. Marshals Service (USMS) elements. The joint QRF will also be available to respond to Border Patrol and other Law Enforcement Agencies in the area.
  - Buffalo HSI SRT will take lead for establishing and coordinating a joint QRF and conduct preliminary planning for response to civil unrest
  - (b)(7)(E) BUN Special Operations Agents will support HSI SRT with tactical and medical capabilities, including crowd control techniques
  - No additional costs
  - Media Attention is likely

HLT/MRT Support to Rochester

**BLUF:** On May 31, 2020, HLT/MRT will provide crowd control and physical security in and around Rochester Border Patrol Station. Rochester Station is located (b)(7)(E), (b)(7)(F) (b)(7)(E), (b)(7)(F) in the vicinity of recent demonstrations.

#### INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 5/31/2020
- Status: Cancelled
- Request From: Rochester Border Patrol Station
- USBP Supporting Element: HLT/MRT (b)(7)(E)
- Support Requested: Physical Security and Crowd Control
- Close Outs: Supported
- OUTCOME: Cancelled

#### TIMELINE:

(31MAY)

- BUN Sector and Rochester Station have determine to cancel the requested MRT assistance from HLT

- **BLUF for RFA #2:** The Niagara County Sheriff's Office (NCSO) has requested assistance from the BUN Niagara Falls Station to provide force augmentation to the Niagara Falls Police Headquarters and the Sheriff's Office Command Post to provide crowd control and physical security.
- BUN Niagara Falls Station (NIB) will provide support to the NCSO/NFPD Command Post to be staged at the (b)(7)(E) (b)(7)(E) NIB will provide (b)(7)(E) agents for deployment as crowd control and physical security in and around the NFPD Headquarters, and be available to support NFPD/NCSO elements. NY State Police, NY State Park Police, North Towanda PD, Lockport PD, Lewiston PD, Youngstown PD, and Barker PD will establish joint forces to provide response to possible civil unrest and or violence directed at law enforcement, law enforcement facilities and other government buildings.
  - NCSO and NFPD will be the lead agencies
  - (b)(7)(E) USBP personnel will provide support for physical security and crowd control if required
  - No additional costs
  - Media Attention is likely
  - Advanced Team will consist of (b)(7)(E) agents fully equipped and self-sufficient for (b)(7)(E)
  - Command elements, operators, sUAS capability, and medical element
  - Secondary Team of (b)(7)(E) agents will begin travel tonight (5/31/2020) with additional equipment
  - Media Attention is likely

- USBP Special Operations Group (BORTAC) requested a: (b)(7)(E) (b)(7)(E) to transport (b)(7)(E) BORTAC Agents in assisting local law enforcement with ongoing protests and civil unrests in the Buffalo, NY area.

#### NIB Support to Lockport PD

**BLUF:** On Monday, June 1, 2020, the Niagara Falls Border Patrol Station (NIB) will stage: (b)(7)(E) for quick response for life and safety measures to support Lockport PD (NY) /NY State Police elements.

#### INFORMATION

- Date of Request: 6/01/2020
- Time Frame: 6/02/2020
- Status: Active
- Request From: Lockport PD
- USBP Supporting Element: NIB agents (b)(7)(E)
- Support Requested: Quick Response for life and safety measures
- Close Outs: Supported

#### OUTCOME:

- PENDING

#### TIMELINE:

- PENDING

#### Buffalo Sector Support to Niagara County Sheriff's Office (NCSO)

**BLUF:** On Tuesday, June 2, 2020, Niagara Station, in response to a request from NCSO, will be available to respond to Border Patrol and other law enforcement facilities in the Niagara Falls area should the need arise.

- Operation scheduled to begin at 1800 hrs. EST
- (b)(7)(E) NIB SBPA will deploy to NCSO Command Post
- (b)(7)(E) NIB BPAs will augment local law enforcement partner units and assist with crowd control

#### **BLUF:** Buffalo Sector Support to Buffalo HSI SAIC

On June 2, 2020, USBP received a request for (b)(7)(E) USBP Special Operations Agents (BORTAC/BORSTAR) from Buffalo Sector (BUN) to augment an HSI SRT Quick Reaction Force (QRF), established as a precaution in advance of demonstrations anticipated in downtown Buffalo, NY on June 2, 2020. If approved, BUN will continue to provide the support requested. If approved, BUN BORTAC and BORSTAR agents will coordinate with HSI SRT and establish a joint QRF, staged at the: (b)(7)(E) (b)(7)(E). The QRF will provide crowd control and physical security in and around the court building, and be available to support the Buffalo Police Department (BPD) and U. S. Marshals Service (USMS) elements. The joint QRF will also be available to respond to Border Patrol and other Law Enforcement Agencies in the area.



- Buffalo HSI SRT will take lead for establishing and coordinating a joint QRF and conduct preliminary planning for response to civil unrest
- (b)(7)(E) BUN Special Operations Agents will support HSI SRT with tactical and medical capabilities, including crowd control techniques
- No additional costs
- Media Attention is likely

**INFORMATION**

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 - TBD
- Status: Active
- Request from: Buffalo HSI
- USBP Supporting Element: (b)(7)(E) USBP SOS Agents
- Support Requested: Tactical and medical capabilities, including crowd control techniques
- 
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

Buffalo Sector Support to Buffalo SAIC

**BLUF:** On June 3, 2020, the Buffalo HSI SAIC has requested (b)(7)(E) USBP Special Operations Agents (BORTAC/BORSTAR) from Buffalo Sector (BUN) to augment an HSI SRT Quick Reaction Force (QRF), established as a precaution in advance of demonstrations anticipated in downtown Buffalo, NY through June 7, 2020. If approved, BUN will continue to provide the support requested.

**INFORMATION**

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020 – 6/7/2020
- Status: Active
- Request from: LPPD/AAPD
- USBP Supporting Element: (b)(7)(E) USBP agents
- Support Requested: tactical and medical capabilities, including crowd control techniques
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

#### SPW Support to Portland FPS

**BLUF:** From June 4 through 7, 2020, SPW will, at the request of FPS Region 10 Director, assist FPS at federal building and courthouses in the Portland, OR area. Agents will assist with physical security, crowd control, tactical medic, and protecting the life and safety of the general public and first responders. FPS requested USBP assistance on June 4, 2020 to support protest/riot control at federal buildings located in Seattle, WA, Tacoma, WA, and Portland, OR. Planned protests were scheduled to occur at several locations in the Pacific Northwest.

#### INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 – 6/7/2020
- Status: Active
- Request from: FPS Region 10 Director
- USBP Supporting Element: (b)(7)(E) MFF trained and equipped agents (b)(7)(E) MRT and (b)(7)(E) BORSTAR); (b)(7)(E) vehicles
- Closeout: Supported

#### OUTCOME:

- Pending

#### TIMELINE:

- June 4, 2020 – June 7, 2020

**Spokane Sector** all personnel have been placed on an alert and advised to exercise extreme caution. Facilities are being monitored. Spokane Sector has canvassed agents for rapid deployment to affected areas should the need arise and submitted those numbers to USBP HQ.

- All stations have contacted local LE partner agencies throughout AOR. Currently, only minimal peaceful protest activity.

#### Spokane Sector Support to FBI (b)(7)(E)

**BLUF:** On June 2, 2020, SPW SIU TFO's will provide (b)(7)(E) USBP agents for surveillance to assist with the identification of subjects involved with possible civil unrest and or violence directed at law enforcement or law enforcement facilities. FBI (b)(7)(E) and (b)(7)(E) will

(b)(7)(E) either the Spokane Police Department (SPD) or the Spokane County Sheriff's Office (SCSO.)

- SPW will support with (b)(7)(E) TFOs currently assigned to (b)(7)(E)
- Conducting (b)(7)(E) surveillance to identify violent agitators within protests

#### INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 - TBT
- Status: Active
- Request from: FBI (b)(7)(E)
- USBP Supporting Element: (b)(7)(E) TFOs
- Support Requested: (b)(7)(E) Surveillance
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

SPW Support to Spokane Police Department (SPD)

**BLUF:** On June 2, 2020, SPW in response to a request from Spokane Police Department deployed (b)(7)(E) Less Lethal certified agents to assist with crowd control and provide life and safety protection measures due to an ongoing and evolving “Black Lives Matter” demonstrations, in downtown Spokane, Washington. SPW agents will also deliver less lethal (b)(7)(E) to SPD due to critically low supply.

INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 to TBD
- Status: Active
- Request from: SPD
- USBP Supporting Element: (b)(7)(E) Agents
- (b)(7)(E)
- (b)(7)(E)
- (b)(7)(E)
- (b)(7)(E)
- Support Requested: Tactical capabilities, mitigate risk, life safety issues
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Spokane Sector Support to Okanagan County Sheriff's Office Assist (OCSO)

**BLUF:** On Thursday, June 4, 2020, agents will participate in a joint QRF in close proximity to a planned Black Lives Matter protest. Agents will also be available to respond to other law enforcement facilities in the area. This demonstration is scheduled to begin on June 4, 2020 at 1700 hrs. PDT at the Omak Library, 30 Ash St N., Omak, Washington should the need arise.

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/4/2020
- Status: Active
- Request from: OCSO
- USBP Supporting Element: (b)(7)(E) agents
- Agents will also be available to respond to other law enforcement facilities in the area.
- Closeouts: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Whitefish Station Support to Kalispell Police Department and Whitefish Police Department

**BLUF:** Starting June 5, 2020, WHF, at the request of KPD and WPD, will provide (b)(7)(E) agents to assist with situational awareness and the identification of subjects involved with civil unrest and violence. WHF Task Force Officer, currently assigned to the (b)(7)(E) will be assigned for this undertaking. KPD and WPD requested assistance from WHFT to enhance situational awareness with ongoing “Black Lives Matter” demonstrations being held in downtown Kalispell, Montana.

- WHF will provide (b)(7)(E) TFO agent for SA operations

INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020
- Status: Active
- Request from: KPD/WPD
- USBP Supporting (b)(7)(E) agent
- Closeout: Supported

OUTCOME:

- TBD

TIMELINE:

- PENDING

**Havre Sector** has notified all Stations and SIU to be prepared for the possibility of short timeframe deployments and in March of this year agents were trained by (b)(7)(E)

(b)(7)(E)

- Personnel are being notified to prepare for immediate deployment as necessary to include SOD and MFF

**Grand Forks Sector** has initiated an EOC to ensure timely reporting

- On Sunday, May 31, 2020, Border Patrol Agents from PMB and SIU, responded to the Fargo Police Emergency Operations Center (EOC) that has been established at a (b)(7)(E) located at (b)(7)(E) (b)(7)(E). Responding agents were to provide crowd control and physical security in and around the civil unrest areas and any other buildings where human life/physical well-being may be threatened. No action was taken by USBP agents. All demonstrations ended and protesters cleared the scene prior to USBP arrival.
- Initiated an EOC to ensure timely reporting

Grand Forks Sector Support to Fargo Police Department

**BLUF:** May 31, 2020, BPAs from PMB and SIU, responded to the Fargo EOC to provide crowd control and physical security in and around the civil unrest areas and any other buildings where human life/physical well-being may be threatened.

INFORMATION

- Date of Request: 5/31/2020
- Time Frame: 6/01/2020
- Status: CLOSED
- Request From: FBI
- USBP Supporting Element: GFN Sector Agents ( agents)
- Support Requested: Crowd control and physical security in support of human life/physical well-being
- Close Outs: Supported

OUTCOME

- No action was taken by USBP agents. All demonstrations ended and protesters cleared the scene prior to USBP arrival.

Grand Forks Sector Support to Bemidji, MN Police Department

**BLUF:** On May 30 through May 31, 2020 GFN agents will assist the Bemidji, MN PD regarding a request of immediate assistance regarding a crowd that has become violent, throwing rocks/debris at the Police Station.

INFORMATION

- Date of Request: 5/30/2020
- Time Frame: 5/31/2020
- Status: CLOSED
- Request From: Bemidji, MN Police Department

- USBP Supporting Element: GFN Sector Agents
- Support Requested: General law enforcement support and crowd control
- Close Outs: Supported

#### OUTCOME

- As of 1:25 p.m. on 5/31/2020, all clear.

#### TIMELINE

- May 30, 2020:

1530: BPD contacted GFN Radio requesting all available law enforcement to assist with civil unrest at the (b)(7)(E) located at (b)(7)(E) (b)(7)(E)

1540: USBP HQ LEOD Chief briefed by GFN (A)CPA Verbal authorization for initial response granted.

1625: INF Resident Agents (RA) are dispatched to the Bemidji PD staging area.

1705: (b)(7)(E) Supervisory Border Patrol Agent (SBPA) RA and (b)(7)(E) BPA RA arrive.

1905: Total of (b)(7)(E) additional INF agents arrive at staging area to receive assignments. Total of (b)(7)(E) INF agents on scene.

2035: Bemidji City orders the remove all dumpsters and garbage cans. During the removal of dumpsters, gas and incendiary devices were located inside the dumpsters. Bemidji City declared State of Emergency and instituted a curfew from 2000-0600 hours.

2400: Proactive efforts brought an end to the violence. All INF agents released by the EOC Command and returned to USBP duty assignments/locations.

#### Grand Forks Sector Support to Bemidji Minnesota Police Department (BPD)

**BLUF:** On June 6, 2020, Grand Folks, ND (GFN), at the request of BPD, will assist with crowd control and protecting the life and safety of the public and first responders.

**BACKGROUND:** BPD has requested assistance from GFN in response to possible civil unrest at a planned “Social Injustice Demonstration” in Bemidji, MN. The BPD is anticipating 300 to 500 participants.

On May 30, 2020, GFN agents responded to a similar request from BPD and discovered gasoline containers and incendiary devices in dumpsters throughout the city.

#### INFORMATION

- Date of Request: 6/6/2020
- Time Frame: 6/6/2020 – TBD
- Status: Active
- Request from: BPD
- USBP Supporting Element: (b)(7)(E) agents (b)(7)(E) SBPAs (b)(7)(E) BPAs)
- Closeout: Supported

Vehicles

- (b)(7)(E) USBP service vehicles

OUTCOME:

- Pending

TIMELINE:

- June 6, 2020 - TBD

**Detroit Sector:**

- Beginning at 1300hrs on May 29th the DTM BIC has and will continue to monitor social media/live feeds/open source reporting to provide situational updates to the field
- DTM SHQ EOC in place for RFAs and all reporting. Primary POC: DC Ops (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)
- DTS Command established communication with Detroit Police HQ on 5/29 and maintains communication with their Incident Command.
- DTS has taken precautionary measures by (b)(7)(E)  
(b)(7)(E) increasing security at the station, and (b)(7)(E)  
(b)(7)(E)
- SOD deployed in support of DTS on 5/29 to increase security at the station and maintained a ready posture to supplement DPD riot control if requested (no request on 5/29)
- DTM SHQ in communications with AMO.
- Field commanders maintain on going communication with one another to flex resources as needed
- On Friday 5/29/2020 and 5/30/2020, the Detroit Police Department requested assistance from the CBP, Great Lakes Air and Marine Branch from 1600-0400.
- The DTM BIC continues to monitor social media and open source reporting, providing situation updates to the field
- DTS maintains coordination with the Detroit Police Department
- SHQ EOC maintains coordination with AMO, resources the SOD against the situation, and facilitates RFAs for Field Commanders
- RFA for (b)(7)(E) SBY and SIU TFAs was approved on May 31st. TFAs will assist with security at the FBI Cleveland, OH and Toledo, OH facilities.
- Organized protests planned to begin at 1700hrs on May 31st in the vicinity of Downtown Detroit.

Detroit Sector Support to FBI Toledo and Cleveland

**BLUF:** May 30 to June 1, 2020, [REDACTED] TFAs and [REDACTED] BPA [REDACTED] from SBY SID will assist their respective task forces in securing federal sites against protestors who attempt to vandalize or commit violent acts on federal buildings at the Toledo and Cleveland FBI offices.

INFORMATION

- Date of Request: 5/30/2020
- Time Frame: 6/01/2020
- Status: Ongoing (All Clear)
- Request from: FBI
- USBP Supporting Element: DTM TFAs and BPA [REDACTED]
- Support Requested: General law enforcement support and Federal site security
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

DTM/SOD Support to Lincoln Park PD (LPPD) and Allen Park PD (AAPD)

**BLUF:** On June 3, 2020, USBP DTM/SOD agents, at the request of LPPD will assist LPPD and APPD by providing tactical capabilities, crowd control, and protecting the life and safety of the general public and first responders.

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/4/2020
- Status: Active
- Request from: LPPD/AAPD
- USBP Supporting Element: [REDACTED] DTM/SOD will agents deploy 6/4/2020
- Closeouts: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Detroit Sector Michigan Department of Natural Resources and Michigan State Police– June 5, 2020

**BLUF:** On June 5, 2020, DTM Riverine Unit, at the request of DNR and MSP, will deploy [REDACTED] agents and [REDACTED] vessel to the MacArthur Bridge to ensure public safety during a scheduled protest on the MacArthur Bridge. DTM/RU is limited to patrolling the waterway and effecting life saving measure as the need arises. The DTS Riverine Unit will coordinate with MSP and DNR



to ensure public safety during a planned protest on the MacArthur Bridge. The MacArthur Bridge connects Belle Island to Detroit, Michigan and is in close proximity to both Canadian Waters and the international border.

#### INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/4/2020
- Status: Active
- Request from: Michigan Department of Natural Resources and Michigan State Police
- USBP Supporting Element: DTM/RU will deploy (b)(7)(E) agents and (b)(7)(E) vessel on June 4, 2020
- Support Requested: DTS Riverine Unit will coordinate with MSP and DNR to ensure public safety during a planned protest
- Close Outs: Supported

#### OUTCOME:

- PENDING

#### TIMELINE:

- PENDING

#### DTM/GIB Support to Grosse Ile, Michigan Police Department

**BLUF:** On June 6, 2020, GIB agents will, at the request of GIPD, assist by being prepared to respond for crowd control and protecting the life and safety of the general public and first responders. The Detroit Border Intelligence Center is currently monitoring social media and providing updates in reference to the protests.

#### INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/6/2020 - TBD
- Status: Active
- Request from:
- USBP Supporting Element: (b)(7)(E) Agents, (b)(7)(E) vehicles
- Closeout: Supported

#### OUTCOME:

- TBD

#### TIMELINE:

- PENDING

#### Detroit Sector Support to Wyandotte PD (WPD)

**BLUF:** On June 6, 2020, DTM will deploy (b)(7)(E) agents to support WPD by providing (b)(7)(E) capabilities and other emergent law enforcement assistance in order to protect and secure their community. Agents will stage near the protest and deploy as needed.

#### INFORMATION

- Date of Request: 6/6/2020
- Time Frame: 6/7/2020
- Status: Active
- Request from: Wyandotte Police Department
- USBP Supporting Element: (b)(7)(E) agents, (b)(7)(E) SOD: MFF (b)(7)(E) (b)(7)(E) Mobile Response: MFF (b)(7)(E) (b)(7)(E) and (b)(7)(E) DTM Public Affairs Officer)
- Closeout: Supported

#### OUTCOME:

- Pending

#### TIMELINE:

- June 6, 2020 – June 7, 2020

### **Detroit Sector**

#### **Detroit Sector Support to Various Regional Task Forces**

**BLUF:** From June 7 through June 13, 2020 DTM/SIU Task Force Agents, at the request of various regional TFs, will support the security of federal sites by enhancing situational awareness in the Detroit, Cleveland, Toledo, and Grand Rapids areas.

#### INFORMATION

- Date of Request: 6/6/2020
- Time Frame: 6/5/2020 – 6/13/2020
- Status: Active
- Request from: Various Regional Task Forces
- USBP Supporting Element: (b)(7)(E) agents, (b)(7)(E) vehicles
- Closeout: Supported

#### OUTCOME:

- Pending

#### TIMELINE:

- June 6, 2020 – June 13, 2020

### **Sandusky Bay Station Support to Port of Clinton Police Department (PCPD)**

**BLUF:** On June 8, 2020, (b)(7)(E) Border Patrol agents (BPAs) and (b)(7)(E) (b)(7)(E) SBY Sector Intelligence Detachment agents (SID) will assist the Port of Clinton Police Department (PCPD) with support functions surrounding a planned protest event in Port Clinton, OH.

USBP Sandusky Bay will provide (b)(7)(E) agents:

- (b)(7)(E) BPAs (b)(7)(E) WC) (Not MFF trained or equipped)
- Perform security as needed at Ottawa County Court House
- (b)(7)(E) SBY SID (b)(7)(E)
- Conduct surveillance
- (b)(7)(E) vehicles
- (b)(7)(E) vehicles

#### INFORMATION

- Date of Request: 6/8/2020
- Time Frame:
- Status: Active
- Request from: PCPD
- USBP Supporting Element:
- Support Requested: Security and Surveillance
  
- Close Outs: Supported

#### OUTCOME:

- PENDING

#### TIMELINE:

- PENDING

**Swanton Sector** is mobilizing Agents for immediate deployment if the request is made. Station Protest Response plans are being reviewed for action if needed. Each station within the Sector has assigned (b)(7)(E) to monitor activity in and around the premises. PAICs have informed station personnel to be vigilant on and off duty and report any possible activity to Station leadership and Sector Staff.

**Houlton Sector** command staff and field commanders are monitoring the situations throughout the country and are communicating the latest information to the field for situational awareness and preparation. MRT Commander has been directed to have the team on alert in the event of a short notice deployment.

- Houlton Sector (HLT) continues to remain vigilant in messaging to all personnel regarding the ongoing and evolving civil disturbances across the United States (U.S.).

- In preparation for possible deployments to civil disturbance incidents and/or events, HLT's Mo-bile Readiness Team (MRT), consisting of (b)(7)(E) members, remains on standby and available to deploy.
- HLT's MRT team has been added to the (b)(7)(E) and would be deployed (b)(7)(E)
- (b)(7)(E) vehicles have been identified and loaded in preparation for possible deployment, with additional (b)(7)(E) units identified should MRT members be requested to deploy in (b)(7)(E) and/or vehicles.
- In addition, HLT stations have identified a total of (b)(7)(E) agents beyond their MRT personnel able to deploy in support of incidents while still maintaining their respective border security operations.
- Of the (b)(7)(E) MRT agents and (b)(7)(E) additional HLT agents available to deploy, (b)(7)(E) are Emergency Medical Technicians (EMT).
- HLT remains in communication (b)(7)(E)  
(b)(7)(E)

**New Orleans Sector** has: All managers and supervisors are briefed on the evolving situations regarding George Floyd protests nationwide; All Border Patrol Agent (BPAs) and Professional Staff are receiving routine updates from station and sector management; An all-hands teleconference is planned for Monday, June 1, 2020, at 0900 hours (CDT) for messaging and continued accountability.

**Miami Sector** is not operationally impacted at this time. MIP is (b)(7)(E) (b)(7)(E) to track/monitor all current activity. (b)(7)(E) BPA has been assigned to the (b)(7)(E) (b)(7)(E) to relay actionable intelligence. Planned ANTIFA protests/riots in the cities of Hialeah, Coral Gables and Miami Gardens (S. Florida areas) are being monitored by local LEOs.

- All MIP agents/employees were directed to undertake all safety precautions while on and off duty.
- MIP has a Protester Response Plan in place that provides direction to agents/employees in the event protesters congregate at Sector HQ or any of the six (6) stations throughout Florida.

**Ramey Sector** field units have been assigned to remain on the local zone of operations (all within (b)(7)(E) to Sector/Station Compound.

- (b)(7)(E) radio checks with any unit out in the field.
- Messaging to all personnel in regards to current environment.
- All personnel advised to inform any possible local protest.
- Checks with local (b)(7)(E) indicate that no threats / protest / any pertinent information to pass.
- POCs for this local partners will remain in communication if any situation arises.

**2.Changes (degradation or restoration) to your Component's ability to execute or sustain its homeland-security mission; perform a mission essential function(s); or support state, local, tribal, territorial, private-sector or international partners;**

- **No degradation** at this time to most sectors, however;

- **Swanton Sector** stations deploys (b)(7)(E) agents per shifts. (b)(7)(E)

(b)(7)(E)

**3. Changes to your Component's operating status, including the loss or restoration of Department mission-critical capabilities or the activation or deactivation of a Component-level Continuity of Operations plan;**

- Most Sectors have not reported any change, but:
- **Grand Forks Sector** has partially Activated COOP Plan. (b)(7)(E)  
(b)(7)(E) at GFN Sector HQ.
- **Swanton Sector** stations deploys (b)(7)(E) agents per shift. (b)(7)(E)

(b)(7)(E)

**4. Accountability of personnel affected by any incident or event related to a civil disturbance, including reports of injured, deceased, or displaced Department employees and contract support personnel;**

**Buffalo Sector**

- A reportable assault occurred during yesterday's deployment. An agent was struck by a rock on the right cheek and sustained minor injuries which were treated at the scene and did not require further medical attention.

**5. Any amplifying information you believe would increase the Secretary's or Deputy Secretary's situational awareness or understanding of the situation.**

- **Blaine Sector** reports multiple social media outlets report Black Lives Matter and ANTIFIA are gathering in the Seattle area.
- **Detroit Sector** reports an organized protests are underway in Detroit this evening.
- **Miami Sector** reports a planned ANTIFA protests/riots in the cities of Hialeah, Coral Gables and Miami Gardens (S. Florida areas) are being monitored by local LEOs.

**Tucson Sector:**

- (b)(7)(E) tasked with CCIRs:
- Info concerning targeting of BPAs and families with violence
- Info concerning specific targeting of LEOs and families of LEOs with violence
- Pending or active protest at DHS/CBP facilities
- Location, interest or actual numbers
- Info on pending and or on going protest and/or riots in AZ
- Time, date location, size, interest on social media
- State and local LEO awareness
- State and local LEO posture location / numbers
- AZ NG deployments, location/numbers

Late last night, the (b)(7)(E) discovered responses to a social media thread from an individual in Sahuarita, AZ directly commenting real time on the protests occurring in Tucson. He made specific threats in the form of techniques to utilize against TPD officers

such as filling Super Soakers with gasoline and provoking them to engage the officers with firearms.

(b)(7)(E)

TCA will resupply Phoenix PD with the following less lethal munitions:

(b)(7)(E)

OUTCOME:

(b)(7)(E)

TIMELINE:

- 1600 EST: TCA transferred (b)(7)(E)

Tucson Sector Support to Casa Grande PD (CPD)

**BLUF:** On June 3, 2020, TCA will support Casa Grande PD with a total of (b)(7)(E) agents (TCA SOD: (b)(7)(E)) in order to provide local agencies required support to maintain control of planned protests in Casa Grande, Arizona

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020
- Status: Active
- Request from: CPD
- USBP Supporting Element: (b)(7)(E) agents; (b)(7)(E) Vessel
- Support Requested: tactical and medical capabilities, including crowd control techniques
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Tucson Sector Support to Casa Grande PD (CPD)

**BLUF:** On June 4, 2020, TCA will support Casa Grande PD with a total of (b)(7)(E) agents (TCA SOD: (b)(7)(E)) in order to provide local agencies required support to maintain control of planned protests in Casa Grande, Arizona

#### INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 to 6/6/2020
- Status: Active
- Request from: CPD
- USBP Supporting Element: (b)(7)(E) agents (b)(7)(E) Vessel
- Support Requested: tactical and medical capabilities, including crowd control techniques
- Close Outs: Supported

#### OUTCOME:

- PENDING

#### TIMELINE:

- PENDING

#### **Blaine Sector:**

- Blaine Sector currently has a CONOPs at HQ for pending support for the Federal Protective Service in the Seattle area. BLW currently has approximately (b)(7)(E) volunteer agents ready to deploy. Blaine Sector / Port Angeles Station has enacted their Protest Plan due to a planned protest today currently located about 1 block away from the station. BLW MRT on Stand-by Status for response throughout sector if needed.
- Reports multiple social media outlets report Black Lives Matter and Antifa are gathering in the Seattle area.

#### **SUMMARY / OUTCOMES and TIMELINES**

##### 4. Blaine Sector Support to Seattle FPS

**BLUF:** On May 30, 2020 through May 31, 2020, USBP Blaine Sector will deploy (b)(7)(E) (b)(7)(E) Special Operations agents (BORSTAR and BORTAC) to Seattle, WA, to provide tactical medical assistance and general law enforcement support to the Federal Protective Service (FPS) Officers at the Jackson Federal Building.

#### INFORMATION

- Date of Request: 5/30/2020
- Time Frame: 5/31/2020
- Status: CLOSED
- Request From: FPS
- USBP Supporting Element: BLW/SOD (b)(7)(E) agents)
- Support Requested: Tactical medical, Crowd Control, Law Enforcement Support
- Close Outs: Supported, No Issues Reported

#### OUTCOME

- Operation conducted without incident
- No law enforcement actions taken by USBP personnel

- FPS requested BLW/SOD return to site at 1400 on 31MAY

#### TIMELINE

1550 hrs. (30MAY)

- SOD arrives at support site
- All is quite / anticipate arrival of protesters at 1700
- [REDACTED] agents assigned to [REDACTED] (b)(7)(E) [REDACTED] agents assigned to [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

1731 hrs.

- Approximately 1,000 people at courthouse
- Crowd is peaceful

2015 hrs.

- Both sites clear of protesters

1415 (31MAY)

- SOD PAIC and [REDACTED] SOD BPAs assigned to [REDACTED] (b)(7)(E) [REDACTED] SOD BPAs assigned to [REDACTED] (b)(7)(E)

2347hrs

- All BLW personnel have returned to the BLW AOR
- FPS no longer needs USBP assistance and does not anticipate needing any further assistance
- No injuries or incidents to report
- BLW is standing down the EOC

#### Blaine Sector Support to Whatcom County Sheriff's Office

**BLUF:** On June 5, 2020, BLW will deploy [REDACTED] agents to support the Whatcom County Sheriff's Office (WCSO) Command at the WCSO HQ and Jail facility.

#### INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 – TBD
- Status: Active
- Request from: Whatcom County Sheriff's Office
- USBP Supporting Element: [REDACTED] agents ([REDACTED] SBPAs, [REDACTED] BPAs)
- Closeout: Supported

#### OUTCOME:

- Pending

#### TIMELINE:

- June 5, 2020 - TBD

#### Blaine Sector Munitions Support to Whatcom County Sherriff's Office (WCSO)



**BLUF:** On June 5, 2020, BLW, at the request of Whatcom County Sheriff's Office, will deliver requested less lethal munitions to WCSO.

**BACKGROUND:** WCSO is requesting supplemental Less Lethal Munitions (b)(7)(E)  
(b)(7)(E)

(b)(7)(E) The WCSO less lethal munition supply is critically low due to continuing civil disturbances.

- BLW will transfer:

(b)(7)(E)

#### INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020
- Status: Active
- Request from: WCSO
- USBP Supporting Element: Equipment/Supplies
- Closeout: Supported

#### OUTCOME:

- TBD

#### TIMELINE:

- PENDING

#### Blaine Sector Support to Federal Protective Service (FPS)

**BLUF:** On June 5, 2020, BLW will deploy additional agents to support FPS and extend its original support date past June 4 through June 7.

#### INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 – TBD
- Status: Active
- Request from: FPS
- USBP Supporting Element: MFF trained and equip agents, (b)(7)(E) vehicles
- Closeout: Supported

#### OUTCOME:

- Pending

**TIMELINE:**

- June 5, 2020 – TBD

Blaine Sector Support to Federal Protective Service (FPS)

**BLUF:** On June 8, 2020, BLW will reassign (b)(7)(E) agents currently deployed in the Seattle/Tacoma area to the Portland area in support of FPS. Presently, there are (b)(7)(E) deployed MFF agents in Portland. FPS is requesting that the (b)(7)(E) MFF agents remain in Portland through June 15.

**INFORMATION**

- (b)(7)(E) MFF agents deployed to Seattle/Tacoma will relocate to Portland on 6/8/2020
- (b)(7)(E) MFF agents deployed to Seattle/Tacoma will return to BLW on 06/09/2020
- (b)(7)(E) MFF agents to remain in Portland until 06/15/2020 (b)(7)(E) existing, (b)(7)(E) reassigned)

**OUTCOME:**

- Pending

**TIMELINE:**

- June 8, 2020 – June 15, 2020

**Swanton Sector:**

- Swanton Sector has been tracking/monitoring activity in the greater New York, Vermont, and New Hampshire area through (b)(7)(E)
- Swanton Sector does not report any information which needs amplification in its AOR.

**Miami Sector:**

- Miami Dade has implemented a countywide mandatory curfew to eliminate pedestrian, vehicular and media traffic in high-risk areas during specific times. Over 38 violators of this order were arrested from Saturday May 30th into Sunday May 31st.

Miami Sector Support to Riviera Beach PD

**BLUF:** From June 5 through June 7, 2020 WES will, at the request of RBPD, (b)(7)(E)

**(b)(7)(E)**

**INFORMATION**

- Date of Request: 6/5/2020

- Time Frame: 6/5/2020 – 6/7/2020
- Status: Active
- Request from: Riviera Beach PD
- USBP Supporting Element: [redacted] BPA agent
- Closeout: Supported

**OUTCOME:**

- Pending

**TIMELINE:**

- June 5, 2020 – June 7, 2020

**New Orleans:**

- NLL Emergency Management and NLL-SIU receives continual reporting from [redacted] (b)(7)(E)
- CBP OFO New Orleans Field Office (NFO) is reporting that at this time, OFO has advised all staff to remain vigilant on and off duty. In addition, NFO will be [redacted] (b)(7)(E) [redacted] (b)(7)(E) NFO has no threats to facilities or personnel across the five (5) state area. NFO continues to monitor and are prepared to support any requests for assistance. NFO Special Response Team Operators are on standby as well.
- LA-SAFE reporting planned demonstrations in BATON ROUGE; PORT ALLEN; HOUMA; HAMMOND; LAFAYETTE; LAKE CHARLES; ALEXANDRIA; SHREVEPORT; and NEW ORLEANS.
- Alabama Emergency Management Agency reporting Lee County EMA is partially activated today to monitor protest in Auburn at Toomers Corner. Our office is coordinating with City of Auburn Public Safety and Auburn University Safety. EOC is monitoring and coordinating with the City of Fort Payne in support of scheduled gathering today in protest of recent events in Minnesota.

**Air & Marine Operations:**

**AMO Branch Unit:** Great Lakes Air and Marine Branch

**Event Summary:** [redacted] Air Support request from the Detroit Police Department / FBI Detroit

**Event Location:** Detroit, MI

**Date/Time:** 5/30/20 at 1600 Hrs.

**Description and Timeline:**

The Detroit Police Department is requesting (b)(7)(E) with (b)(7)(E) capabilities to be placed in “stand-by” beginning ASAP throughout the night as available and launch upon request for public safety, officer safety, and law enforcement emergency related incidents. H.S.I. SRT is currently on “stand-by” and will provide aviation tactical team member support for (b)(7)(E) if approved. This (b)(7)(E) will be AMO (b)(7)(E) capable.

FBI Detroit (b)(7)(E) and is requesting CBP AMO to provide (b)(7)(E)

**Background:**

On Friday 5/29/2020, Protests in the City of Detroit resulted in confrontation with police. Over 1,000 persons protested in front of the Detroit Public Safety Headquarters which led to violence and at least 60 arrests. It is reported that a 21-year old male was fatally shot near the protests (not a police involved shooting) as a result of shots being fired into a crowd. The fatality is expected to result in additional violence. At one point during the protest, several officers were reportedly surrounded and “pinned down”. Several DPD vehicles were attacked and damaged. A DPD commander was struck with a rock and hospitalized.

5/30/2020: DPD also reports knowledge of planned attacks this evening on 2 local law enforcement facilities this evening. 3 planned protests are scheduled for this evening. Currently, protestors are marching through Detroit. I am currently monitoring (b)(7)(E) (b)(7)(E) concern over attempts to “take over” DPD headquarters. **DPD reports protestors being dropped off at DPD HQ at this time.** DPD aviation units are unable to cover the multiple protest sights.

**As of May 31, 2020:**

**Status:** Operations for the Great Lakes Air and Marine Branch have ceased

**Close Out:** Visibility of the operation was provided (b)(7)(E) No arrests or damage was reported at the time of this report.

**AMO UPDATE**

**AMO Branch Unit:** NASOC-Grand Forks

**Event Summary:** NASOC-GF Launched an (b)(7)(E) to support Bemidji, MN Police Department and federal authorities due to protests and riots. (b)(7)(E) (b)(7)(E)

**Location:** Bemidji, Minnesota

**Date/Time:** 05/30/2020 1810 (Central)

**Description and Timeline:** Protestors pushing back police line that is guarding the Bemidji Police Department. Protestors are throwing rocks at the building and threatening to burn it down. They also received information of a plan to burn down another law enforcement center nearby. USBP received a request for assistance from Bemidji PD and are responding.

Air and Marine Operations out of Grand Forks is actively responding to (b)(7)(E)  
(b)(7)(E)  
(b)(7)(E) then move to the civil unrest.

NASOC – Grand Forks to Minnesota Highway Patrol (MHP)

**BLUF:** On June 2, 2020, NASOC-GF received a request for air support from the Minnesota Highway Patrol to support State Troopers in Minneapolis/St. Paul due to the civil unrest. They request (b)(7)(E) support beginning today for the next three days to augment their air unit who is unable to sustain the flight operations required for the Emergency Operations Center. The request is also coordinated with HSI Minneapolis as they are providing agents on the street and leadership in the EOC. Status: The event was postponed due to weather.

INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020
- Status: Postponed due to Weather
- Request from: MHP
- AMO Supporting Element:
- Support Requested:
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

NASOC-Grand Forks Support to Minnesota Highway Patrol (MHP)

**BLUF:** On 06/04/2020 NASOC-GF Launched an (b)(7)(E) to assist Minnesota Highway Patrol Aviation Division due to protests and possible riots following the funeral of George Floyd in and around the Minneapolis/St Paul area. Minnesota Highway Patrol (MNHP) and the Minneapolis Emergency Operation Center requested aviation assistance to supplement the MNHP Aviation division for the protests and riots that were expected following the funeral of George Floyd. NASOC-GF launched an (b)(7)(E) and crew to the (b)(7)(E) airport and responded to tasking's from the MNHP. (b)(7)(E) (b)(7)(E) for a total of 3.2 hours with no significant results or incidents noted. Aircraft remained overnight at the (b)(7)(E) hangar, the aircraft was released to return home today (06/05/2020) as further assistance wasn't required. Aircraft and crew are safe on the deck at NASOC-Grand Forks at 1500 hrs. (Central).

## INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 06/04/2020 to 6/5/2020 1300-1500 (CST)
- Status: Active
- Request from: MHP
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Aerial Surveillance
- Close Outs: Supported

## OUTCOME:

- PENDING

## TIMELINE:

- PENDING

## NASOC – San Angelo

### NASOC – San Angelo to USBP Del Rio

**BLUF:** On June 2, 2020, NASOC-SA received a request for UAS air support and (b)(7)(E) support from USBP Assistant Chief: (b)(6), (b)(7)(C). The request is a result of a scheduled peaceful protest taking place at the Del Rio Civic Center in Del Rio, Texas. Officer safety and situational awareness are expected during the event.

## INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020
- Status: Active
- Request from: Del Rio, TX USBP
- AMO Supporting Element: NASOC-SA, UAS
- Support Requested: ASR and (b)(7)(E) for safety and awareness
- Close Outs: Supported

## OUTCOME:

- PENDING

## TIMELINE:

- PENDING

**Impact on AMO Operations:** (b)(7)(E) aircraft and crew dispatched to provide assistance.

**AMO Branch Unit:** Yuma Air Branch

**Event Summary:** At approximately 9:30 pm (MST), Yuma Police Department (YPD) SGT (b)(7)(E) called from the YPD communication center asking if YAB could supply an (b)(7)(E) (b)(7)(E) capable aircraft if the current protests happening in Yuma turned violent and what kind of response time

**Location:** Yuma, Arizona

**Date/Time:** 05/31/2020 1810 (Pacific)

**Description and Timeline:** At approximately 9:30 pm (MST), Yuma Police Department (YPD) SGT (b)(7)(E) called from the YPD communication center asking if YAB could supply an (b)(7)(E) capable aircraft if the current protests happening in Yuma turned violent and what kind of response time. YAB was able to gather a callout crew on a (b)(7)(E) response for this evening and committed an (b)(7)(E) crew on (b)(7)(E) alert for tomorrow, Sunday, May 31 from 8:00 am until Midnight.

Protesters from a number of groups, protesting all law enforcement have been protesting, relatively peacefully at the intersection of 4th Ave and 24th St. YPD is closely monitoring the protests and said they are scheduled to continue through the weekend.

YAB will maintain this posture through the weekend and has reached out to both the Tucson and San Diego Air Branches to pre-coordinate for assistance should the situation in Yuma deteriorate.

**AMO Branch Unit:** Great Lakes Air and Marine Branch, Buffalo Air and Marine Units

**Event Summary:** Air Support request from SAC HSI Buffalo / AOF / STL for security of federal property and law enforcement

**POC/Contact:**

AMO-SAIA	(b)(6), (b)(7)(C)
HSI- SAC	(b)(6), (b)(7)(C)
HIS-SSA	(b)(6), (b)(7)(C)

**Event Location:** Buffalo, NY

**Date/Time:** 5/31/20 at 1600 Hrs.-throughout the evening.

**Description and Timeline:**

HSI SAC Buffalo in collaboration with Buffalo Federal / State and local partners is requesting assistance from CBP, Great Lakes Air and Marine Branch Buffalo Air and Marine Units beginning at 1600 local on May 31<sup>st</sup> and throughout the night as required. AMO Buffalo has been requested to assist in providing these partners situational awareness through (b)(7)(E) (b)(7)(E) to the tactical command center. Specific mission objectives are the security of HSI SAC Offices and the Western District of New York Federal Court House. AMO Buffalo is requesting to provide (b)(7)(E) airplane, crew and

(b)(7)(E) Air and Marine Tactical Communications Agent for assignment in the TOC to coordinate communication and (b)(7)(E)

Request approval to assist Buffalo HSI, Federal, State and Local partners with (b)(7)(E) (b)(7)(E) airplane and crew to provide (b)(7)(E) capabilities from 1600 throughout the evening to identify criminal activity and enhance officer safety / situational awareness.

**AMO Branch Unit:** Manassas Air Branch/ Plattsburgh Air Unit

**Event Summary:** Air Support request from Homeland Security Investigations (Special Response Team)

**POC**

**(b)(6), (b)(7)(C)**

**Event Location:** Buffalo, NY

**Date/Time:** 31 May 2020.

**Description and Timeline:**

Move (b)(7)(E) Special Response Team members from Plattsburgh, NY to Buffalo NY as soon as possible to support team members in response to protest.

- Actions taken by Air and Marine Operations (AMO) to prepare for or respond to an incident or event related to a civil disturbance:
- May 30, 2020 / 2130 hours MST: Yuma Police Department inquired if the Yuma Air Branch could supply (b)(7)(E) aircraft if the current protests occurring in Yuma turned violent. The Yuma Air Branch placed a crew on stand-by until further notice. No flights have been launched to date.
- May 30, 2020, due to the close proximity of the Rochester Marine Unit and an area of civil unrest, Great Lakes Air and Marine Branch (GLAMB) management (b)(7)(E)  
**(b)(7)(E)**
- May 30, 2020, CBP Great Lakes Air and Marine Branch (GLAMB) launched (b)(7)(E) (b)(7)(E) at the request of the Detroit Police Department (DPD) in their anticipation of another night of civil unrest in the city. GLAMB also had (b)(7)(E) with Homeland Security Investigation (HSI) Special Response Team (SRT) on “stand-by”. Great Lakes Air and Marine flew (b)(7)(E) for 7.5 (b)(7)(E) hours and 4.5 hours of stand-by (b)(7)(E)
- May 29, 2020 at the request of HSI, NASOC-GF launched a Unmanned Aerial System (UAS) to operate overhead and provide any support possible via live video feed in regards to the civil unrest taking place in Minneapolis, MN. Once overhead the UAS was unable to view the ground due to cloud cover and returned to base.



- May 29, 2020, GLAMB launched a four hour (b)(7)(E) flight from 1600 to 2000 at the request of the Detroit Police Department in anticipation of a protest at their headquarters.
- There have been no changes (degradation or restoration) to AMO's ability to execute or sustain its homeland-security mission; perform a mission essential function(s); or support state, local, tribal, territorial, private-sector or international partners.
- There have been no changes to AMO's operating status, to include the loss or restoration of Department mission-critical capabilities or the activation or deactivation of a Component-level Continuity of Operations plan.
- All AMO personnel are accounted for and have not been affected by any incident or event related to a civil disturbance, including reports of injured, deceased, or displaced Department employees and contract support personnel.
- AMO has no further information to pass at this time that would increase the Secretary's or Deputy Secretary's situational awareness or understanding of the situation.

**AMO Branch / Unit:** Great Lakes Air and Marine Branch/Chicago Air Unit

**Event Summary:** Protests / Civil unrest in response to the death of George Floyd, in Minneapolis, Minnesota.

**Point of Contact (POC):** Air Interdiction Agent (AIA) (b)(6), (b)(7)(C)

**Event Location:** Aurora, Illinois and Naperville, Illinois

**Date/Time:** 06/01/20 at 2130 hours through 06/02/20 at 0015 hours.

**Description and Timeline:**

On 06/01/2020, protests in the City of Chicago and surrounding cities continued in response to the death of George Floyd in Minneapolis.

On the evening of 06/01/2020, the Chicago Air Unit launched (b)(7)(E) at the request of Homeland Security Investigations (HSI), Naperville Police Department and Aurora Police Department in their anticipation of civil unrest in the area. HSI also activated their Special Response Team to assist in the operation.

Throughout the evening hours, several pockets of protesters attempted to disrupt, antagonize and undermine law enforcement efforts to maintain law and order. Multiple businesses were looted in downtown Naperville. Multiple arrests were made during the evening.

**AMO Branch Unit:** Great Lakes Air and Marine Branch

**Event Summary:** Air Support request Detroit Police Department

**POC/Contact:** SMIA (b)(6), (b)(7)(C) Cell: (b)(6), (b)(7)(C)

**Event Location:** Detroit, MI.

**Date/Time:** 07/25/2020

Time: 1700 – 2200

**Description and Timeline:** The Detroit Police Department is requesting assistance from US Customs and Border Protection, Great Lakes Air and Marine Branch from 1700-2200, 7/25/2020. Protests are scheduled to be held throughout the Metro Detroit area. Protestors have threatened to firebomb Detroit Police Departments 3<sup>rd</sup> precinct.

Request approval to assist Detroit Police Department with (b)(7)(E) to provide (b)(7)(E) capabilities throughout the event to identify criminal activity and enhance officer safety/situational awareness.

**AMO Branch/Unit:** El Paso Air Branch / El Paso Air Operations

**Event Summary:** Received Request to support Field Operations SRT for a planned protest

**Possible media attention:** Probable.

**POC for the Report with Contact Number:** SAIA (b)(6), (b)(7)(C)

**Event Location:** El Paso, Texas

**Date/Time (local):** 06/01/2020 at approximately 1630 hours

**Description of event with Timeline:**

On 06/01/20 at 1530hrs: Received a request from El Paso Field Operations for protest support between Bridge of the Americas and the El Paso County Coliseum taking place at 1630 local.

**AMO Branch Unit:** Manassas Air Branch / NCR

**Event Summary:** Air Support for CBP EOC

**POC:**

(b)(6), (b)(7)(C)

**Event Location:** NCR

**Date/Time:** June 2, 2020

**Description and Timeline:**

MAB (b)(6), (b)(7)(C) to fly NCR aerial surveillance in support of CBP EOC 06/02/2020. Mission coverage 1000-0200

**AMO Branch Unit:** Manassas Air Branch / NYAU

**Event Summary:** Air Support for Philadelphia Office of Emergency Management

**POC**

**(b)(6), (b)(7)(C)**

**Event Location:** Philadelphia, PA

**Date/Time:** June 2, 2020

**Description and Timeline:**

NYAU (b)(7)(E) to fly City of Philadelphia aerial surveillance in support of Philadelphia Office of Emergency Management 06/02/2020. Mission coverage 1100-1900

**Manassas Air Branch (EOC)**

- Request is for Surveillance (b)(7)(E) to the PA Emergency Operations Center starting ASAP through tomorrow night and maybe beyond (situation dependent). An (b)(7)(E) crew will Crews from (b)(7)(E) and NYC will assist (b)(7)(E) (b)(7)(E) Aircraft will operate out of (b)(7)(E) airport (b)(7)(E)
- Request is for aerial surveillance in support of the CBP Emergency Operations Center. EOC starting June 1, 2020. An (b)(7)(E) crew flew 3.6 hours in support of the CBP EOC. (b)(7)(E) delivered.

**Manassas Air Branch/ Houlton Air Unit Support to Auburn PD**

**BLUF:** On June 4, 2020, Black Lives Matter protest to begin at 1700 in Lewiston, ME. The crowd will march to both the Auburn Police Department and the Lewiston Police Department. The two cities are directly across the river from each other. AMO has been requested to stage an aircraft at the (b)(7)(E) airport (b)(7)(E) in a stand-by status. If locals engage in a field force operation the air asset will deploy (b)(7)(E)

**INFORMATION**

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 1700
- Status: Active
- Request from: Auburn PD
- AMO Supporting Element: PENDING
- Support Requested: Air Support
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

Manassas Air Branch / NYAU to Support Philadelphia Office of Emergency Management

**BLUF:** On June 4, 2020, NYAU (b)(7)(E) to fly City of Philadelphia aerial surveillance in support of Philadelphia Office of Emergency Management 6/4/2020. Mission coverage 1100-1900, air support for Philadelphia Office of Emergency Management.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 1100-1900
- Status: Active
- Request from: NYAU
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Air Support
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch / NYAU to Support HSI NYC

**BLUF:** On June 4, 2020, NYAU (b)(7)(E) to fly NY City aerial surveillance of protests in support of NYC HSI 6/4/2020. Mission coverage 1600-2400

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 1600-2400
- Status: Active
- Request from: NYAU
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Air Support
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch / NCR to Support Tactical Air Support for USSS SOD

**BLUF:** On June 4, 2020, GLAMB (b)(7)(E) to fly under NCR DAO region in support of USSS SOD 06/04/2020. Mission STBY coverage 1000-0200.

## INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 1000-0200
- Status: Active
- Request from: USSS SOD
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Air Support for USSS SOD
- Close Outs: Supported

## OUTCOME:

- PENDING

## TIMELINE:

- PENDING

### Manassas Air Branch / NCR Support to USSS

**BLUF:** On June 4, 2020, MAB (b)(7)(E) to fly NCR aerial surveillance in support of CBP EOC, Justice OC, USSS (b)(7)(E) Mission coverage 1000-0200. Air Support for NCR CBP EOC, Justice OC, USSS (b)(7)(E)

## INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 1000-0200
- Status: Active
- Request from: USSS
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Air Support
- Close Outs: Supported

## OUTCOME:

- PENDING

## TIMELINE:

- PENDING

### Manassas Air Branch/ Houlton Air Unit Support to USSS (NCR)

**BLUF:** On June 5, 2020, is requesting standby support for the USSS SOD in the NCR. AMO has been requested to stage an aircraft in a stand-by status on 6/5/2020 and 6/6/2020.

## INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 – 6/6/2020
- Status: Active

- Request from: United States Secret Service
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Air Support
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch / NYAU to Support Philadelphia Office of Emergency Management

**BLUF:** On June 5, 2020, NYAU (b)(7)(E) to fly City of Philadelphia aerial surveillance in support of Philadelphia Office of Emergency Management 6/5/2020. Mission coverage 1100-1900.

INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 1000-1800
- Status: Active
- Request from: Philadelphia OEM
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Aerial Surveillance
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch / NYAU to Support HSI NYC

**BLUF:** On June 5, 2020, NYAU (b)(7)(E) to fly NY City aerial surveillance of protests in support of NYC HSI 6/5/2020 and 6/6/2020. Mission coverage 1600-2400

INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 – 6/6/2020
- Status: Active
- Request from: NYAU
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Air Support

- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch Support to HSI NYC Plattsburgh City Police, Clinton County Sheriff's Office, New York State Police, Tri-County Special Response Team

**BLUF:** On June 6, 2020, the No Justice No Peace – Walk for Change is an organized protest demonstration march planned in downtown Plattsburgh, NY. Event participation is expected to exceed 2000 demonstrators. The intent is for a peaceful demonstration marching from an area in downtown Plattsburgh (Trinity Park) to the Plattsburgh City Police Department. The event coordinator is addressing concerns of an outside presence planning to attend, with the intent to become embedded in the crowd and potentially cause unwelcomed unrest & violence. Local law enforcement is also concerned with the potential for counter demonstrators planning to stage at the event. There will be a multi-agency coordinated law enforcement presence during the demonstration.

INFORMATION

The request is to have the (b)(7)(E) conduct a (b)(7)(E) prior to the march to help ensure the safety of demonstrators and law enforcement authorities. The (b)(7)(E) will then be put on alert launch status. The (b)(7)(E) will also remain in an alert launch status throughout the event.

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 1000-1800
- Status: Active
- Request from: Various state and local police
- AMO Supporting Element: (b)(7)(E) standby)
- Support Requested: Aerial Surveillance
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- 6/5/2020 1000-1800

Manassas Air Branch Unit Support to Plattsburgh Clinton Police Department

**BLUF:** On June 6, 2020, Manassas Air Branch/PBG AU at the request of Plattsburgh City Police, Clinton County Sheriff's Office, New York State Police, Tri-County County Special

Response Team will have the (b)(7)(E) conduct a (b)(7)(E) prior to the march to help ensure the safety of demonstrators and law enforcement authorities. The (b)(7)(E) will then be put on alert launch status. The (b)(7)(E) will also remain in an alert launch status throughout the event.

**INFORMATION**

- Date of Request: 6/6/2020
- Time Frame: 6/6/2020
- Status: Active
- Request from: Plattsburgh City Police, Clinton County Sheriff's Office, New York State Police, and the Tri-County Special Response Team
- AMO Supporting Element: (b)(7)(E)
- Closeout: Supported

**OUTCOME:**

- Active

**TIMELINE:**

- June 6, 2020

**Miami Air Branch to Miami Dade Police Department (Three RFAs)**

- Provide (b)(7)(E) to Miami Metro Dade Police Department for situational awareness of ongoing protests. Current request is to provide (b)(7)(E) of the areas in downtown Miami around the (b)(7)(E) for situational awareness of State and Local police leadership for response.
- Provide (b)(7)(E) to Miami Metro Dade Police Department for situational awareness of ongoing protests. Current request is to provide (b)(7)(E) of the areas (b)(7)(E) for situational awareness of State and Local police leadership for response.
- Miami Metro Dade Police Department (MDPD) SWAT is requesting (b)(7)(E) AMO (b)(7)(E) for (b)(7)(E) to provide over watch, and tactical mission coordination via on board MDPD SWAT Lieutenant. The area of operation will be in the vicinity of downtown Miami from 1930 until 2400 local. MDPD is concerned about active shooter, and active targeting of marked Police units. (b)(7)(E) CBP (b)(7)(E) (b)(7)(E) and EMT capable flight crew. (b)(7)(E) AMO Agents + (b)(7)(E) MDPD SWAT Supervisor)

**Chicago Air Unit to HSI Chicago & Chicago Police Department**

- HSI Chicago and CPD requests (b)(7)(E) support from the Chicago Air Unit, in support of law enforcement efforts during the civil unrest in Chicago, IL and surrounding areas. HSI Special Response Team is currently headed to known hot-spots and is requesting immediate air support.
- HSI Chicago, CPD and APD request (b)(7)(E) support from the Chicago Air Unit, in support of law enforcement efforts during the civil unrest in Chicago, Aurora and surrounding areas.



### San Diego Air and Marine Branch

- San Diego County Sheriff's Department has initiated a mutual aid request to the local San Diego, CBP Field Commander. The initial request is for (b)(7)(E) Law Enforcement Officers to provide force protection to State and Local officers performing critical incident response to civil unrest throughout the County of San Diego.
- At this time aviation support to the situation is being provided by STL, SDPD and SDSO aviation assets. SDAMB has postured for, "on standby /on request", airborne (b)(7)(E) support. SDAMB (b)(7)(E) assets will provide situational awareness to CBP and local command authorities with (b)(7)(E) if CBP assets are needed. SDAMB has coordinated directly with STL, SDPD and SDSO aviation units for communications and airspace de-confliction.
- Imperial county Sheriff's Department and the USBP El Centro Sector have requested aviation surveillance support on June 1, 2020, in the event of civil unrest in the Imperial County area. SDAMB in coordination with Yuma Air Branch have scheduled helicopter (b)(7)(E) assets to assist as necessary through the evening.

### El Paso Air and Marine Branch

- On May 31 at approximately 1530 hours, Texas Department of Public Safety Air Unit requested support the El Paso Police Department with a scheduled George Floyd protest at the Police Station.
- The crowd was estimated to be 350-400 people.
- (b)(7)(E) provided air support and (b)(7)(E)
- El Paso Air Branch received a request from the El Paso Field Operations for aviation assistance with a possible scheduled protest at or near the POEs, specifically the Bridge of the Americas and the El Paso County Coliseum taking place at 1630 local El Paso, Texas.
- EPAB will be responding with an (b)(7)(E)

### El Paso Air Branch to El Paso Sector SOD

**BLUF:** On June 2, 2020, ELP Air received a request from the El Paso Special Operations Division agents for aerial (b)(7)(E) support. The request for support is for a scheduled protest in downtown El Paso, Texas. ELP Air deployed an (b)(7)(E) air asset and provided (b)(7)(E)

### INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 1630 hrs. MDT
- Status: Active
- Request from: El Paso Sector SOD
- AMO Supporting Element: ELP Air provided (b)(7)(E)
- Support Requested: ASR and (b)(7)(E) for safety and awareness
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

**Great Lakes Air and Marine Branch (Operating out of Buffalo Air Unit)**

- **Event Summary:** USBP Special Operations Group (BORTAC) requested a (b)(7)(E) (b)(7)(E) to transport BORTAC Agents in assisting local law enforcement with ongoing protests and civil unrests in the Buffalo, NY area.
- Contingency support to begin June 01, 2020 until to be determined
- Air Support request from Special Agent In Charge (SAC) Homeland Security Investigations Buffalo / Other federal / State and local law enforcement for the security of federal property and law enforcement operations.

**AMO Branch Unit:** Great Lakes Air and Marine Branch, Buffalo Air and Marine Units

**Event Summary:** Air Support request from Special Agent In Charge (SAC) Homeland Security Investigations Buffalo / Other federal / State and local law enforcement for the security of federal property and law enforcement operations.

**POC/Contact:**

AMO-SAIA (b)(6), (b)(7)(C)  
HSI- SAC (b)(6), (b)(7)(C)  
HSI-SSA (b)(6), (b)(7)(C)

**Event Location:** Buffalo, NY Area of Responsibility

**Date/Time:** 06/02/2020 STANDBY as required

**Description and Timeline:**

Homeland Security Investigations Special Agent in Charge Buffalo in collaboration with Buffalo Federal / State and local partners is requesting assistance from CBP, Great Lakes Air and Marine Branch Buffalo Air and Marine Units beginning at 1500 local on June 2nd and as required. Air and Marine Operations Buffalo has been requested to assist in providing these partners situational awareness through (b)(7)(E) to the tactical command center. Specific mission objectives are the security of Homeland security investigations Offices and the Western District of New York Federal Court House. Air and Marine Operations Buffalo is requesting to provide (b)(7)(E) airplane, crew and (b)(7)(E) Air and Marine Tactical Communications Agent for assignment in the Tactical Operations Center to coordinate communication (b)(7)(E)

Request approval to assist Buffalo HSI, Federal, State and Local partners with (b)(7)(E) Owl airplane and crew to provide situational awareness through (b)(7)(E) capabilities

from 1500 throughout the evening to identify criminal activity and enhance officer safety / situational awareness.

**AMO Branch Unit:** Great Lakes Air and Marine Branch

**Event Summary:** Air Support request from the Detroit Police Department

**POC/Contact:**

SAIA (b)(6), (b)(7)(C) (CDO for tonight) Cell: (b)(6), (b)(7)(C)

SMIA (b)(6), (b)(7)(C) Cell: (b)(6), (b)(7)(C)

**Event Location:** Detroit, MI

**Date/Time:** 06/02/2020 Time: 1600 – 2200  
06/02 – 06/03/2020 Time: 2200- 0200

**Description and Timeline:**

The Detroit Police Department is requesting assistance from US Customs and Border Protection, Great Lakes Air and Marine Branch from 1600-0200, 6/02/2020 to 06/03/2020. Protests and civil unrest in the City of Detroit continue with confrontation with police.

Request approval to assist DPD with (b)(7)(E) to provide (b)(7)(E) capabilities from/throughout the evening to identify criminal activity and enhance officer safety/situational awareness.

**AMO Branch Unit:** Great Lakes Air and Marine Branch - Chicago Air Unit

**Event Summary:** Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), and the Aurora Police Department (APD) are requesting assistance during the civil unrest in the Chicago area.

**POC/Contact:**

Air Interdiction Agent (b)(6), (b)(7)(C) Chicago Air Unit, (b)(6), (b)(7)(C)

Air Interdiction Agent (b)(6), (b)(7)(C) Chicago Air Unit, (b)(6), (b)(7)(C)

**Event Location:** Chicago, IL and Aurora, IL

**Date/Time:** 06-02-2020 / 2100 - 2400 Central Standard Time (CST)

**Description and Timeline:**

Homeland Security Investigations (HSI Chicago), Chicago Police Department (CPD), and Aurora Police Department (APD) request a (b)(7)(E) support from the Chicago Air Unit, to assist law enforcement efforts during the civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E) is requested.

**AMO Branch / Unit:** Great Lakes Air and Marine Branch / Buffalo Air and Marine Units

**Event Summary:** Aviation (b)(7)(E) for common operating picture during Civil Unrest in Buffalo, NY

**POC/Contact:** Supervisory Air Interdiction Agent (b)(6), (b)(7)(C)

**Event Location:** Buffalo, NY

**Date/Time:** 06/01/2020 1500 to 06/02/2020 0140

**Description and Timeline:**

On 06/01/2020, Air and Marine Operations Buffalo, NY was requested to provide Aviation (b)(7)(E) and aerial situational awareness in collaboration with Homeland Security Investigations, other federal and local law enforcement partners during security operations in response to civil unrest.

1430- A Buffalo Marine Interdiction Agent reported to Tactical Operations Center for coordinating (b)(7)(E) communications of partner agencies during the operation.

1445- (b)(7)(E) launched to provide aviation (b)(7)(E) to Homeland Security Investigations tactical operations center to provide a common operating picture for security operations during civil unrest in the Buffalo, NY area. (b)(7)(E) observed approximately 80 to 100 people gathered in a demonstration on the north side of Niagara Square in Buffalo NY

1630- Protest group began walking a route north easterly and ultimately stopped at the Buffalo Police E district station at 2767 Bailey Ave, Buffalo NY.

1900-1945- Refuel (b)(7)(E) Airport

1950- Returned to E district police station. Upon arrival (b)(7)(E) observed several groups of people on the north and south sides of the station. The largest group was south of the station and was engaged in verbal interaction with uniformed officers. At approximately 2000 officers began to disperse the crowd and move south down Bailey Ave. This process moved slow and officers took several individuals into custody. Officers could be seen using what was believed to be pepper ball launchers to break up crowds that were refusing to move south.

2133-While providing (b)(7)(E) situational awareness for the common operating picture during riot control operations in the vicinity of Buffalo Police Department Precinct E, two officers (1 Buffalo Police Department Officer and 1 New York State Police Trooper) were struck by two subjects who drove an SUV directly into a line of Buffalo Police and New York State Police officers. After striking the officers, the passenger was taken into custody a short distance from

the incident while in the vehicle. The passenger fled the scene on foot: (b)(7)(E)  
(b)(7)(E) for approximately: (b)(7)(E) During this time,

(b)(7)(E)

2230- Flight time extension in accordance with Aviation Operations Handbook 3.6.3 authorized by Director: (b)(6), (b)(7)(C)

(b)(7)(E) situational awareness for officer and firefighter safety until termination of the mission. During the remaining time (b)(7)(E) observed several fires being set at various locations along Bailey Ave and on Roslyn Street. Buffalo Fire department responded to the Roslyn Street fire which was a vehicle fire.

0140- Mission complete aircraft back at Air and Marine Operations Buffalo, NY

2 SUSPECTS Arrested by Buffalo Police Department.

\*\*HSI preparing Significant Incident Report\*\*

Great Lakes Air and Marine Branch Support to the Detroit Police Department (DPD)

**BLUF:** On June 4, 2020, the Detroit Police Department is requesting assistance from US Customs and Border Protection, Great Lakes Air and Marine Branch from 1600-0200, 6/04/2020 to 06/05/2020. Protests and civil unrest in the City of Detroit continue with confrontation with police. (b)(7)(E) to provide (b)(7)(E) capabilities throughout the evening to identify criminal activity and enhance officer safety/situational awareness.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 to 6/5/2020
- Status: Active
- Request from: DPD
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Air Support
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Chicago Air Unit Support to HSI, Chicago PD, Aurora PD, and Kane County Sheriff's Office

**BLUF:** On June 4, 2020, Homeland Security Investigations (HSI Chicago), Chicago Police Department (CPD), Aurora Police Department (APD), and Kane County Sheriff's Department request an (b)(7)(E) helicopter support from the Chicago Air Unit, to assist law enforcement efforts during the civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E) is requested.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 1200-2400 (CST)
- Status: Active
- Request from: HSI, CPD, APD
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Air Support
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Great Lakes Air Branch Unit Support to Dayton Ohio Police Department

**BLUF:** On June 06, 2020, Great Lakes Air Branch/NBR at the request of Dayton Ohio Police Department launched (b)(7)(E) helicopter to provide transportation of Dayton Ohio PD and enhance officer safety/situational awareness during the ongoing civil unrest for the PD.

INFORMATION

- Date of Request: 6/6/2020
- Time Frame: 6/6/2020
- Status: Active
- Request from: Dayton, Ohio Police Department
- AMO Supporting Element: (b)(7)(E) helicopter
- Closeout: Supported

OUTCOME:

- Pending

TIMELINE:

- June 6, 2020 – TBD

**Miami Air Branch Unit Support to Miami-Dade Florida Police Department**

**BLUF:** On June 06, 2020, Miami Air Branch/SER at the request of Miami-Dade Florida Police Department launched a (b)(7)(E) and (b)(7)(E) helicopters to provide (b)(7)(E) surveillance of the downtown Miami area and enhance officer safety/situational awareness for the PD from 1600 hours to 2400 hours.

**INFORMATION**

- Date of Request: 6/6/2020
- Time Frame: 6/6/2020
- Status: Active
- Request from: Miami-Dade, Miami, Florida Police Department
- AMO Supporting Element:
  - (b)(7)(E)
  - (b)(7)(E) helicopters
- Closeout: Supported

**OUTCOME:**

- Pending

**TIMELINE:**

- June 6, 2020 – TBD

**BAMB/Spokane Air Unit support to Spokane PD/Spokane County**

**BLUF:** On June 6, 2020, BAMB at the request of Spokane PD and Spokane County will have a STL (b)(7)(E) events on the ground as they transpire during the Occupy Spokane Protest Sunday afternoon.

**INFORMATION**

- Date of Request: 6/6/2020
- Time Frame: 6/7/2020
- Status: Active
- Request from: Spokane Police
- AMO Supporting Element: (b)(7)(E)
- Closeout: Supported

**OUTCOME:**

- Active

**TIMELINE:**

- June 6, 2020 – June 7, 2020

**Great Lakes Air and Marine Branch - Chicago Air Unit**

**BLUF:** On June 8, 2020, Homeland Security Investigations (HSI Chicago), Chicago Police Department (CPD), Aurora Police Department (APD), and Kane County Sheriff's Department request a (b)(7)(E) helicopter support from the Chicago Air Unit, to assist law

enforcement efforts during the civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E)

(b)(7)(E)

**BLUF:** Buffalo

**INFORMATION**

- Date of Request: 6/8/2020
- Time Frame: 6/8/2020 - 1200 - 2400 (CST)
- Status: Active
- Request from: HSI, CPD
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Air support
  
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

Great Lakes Air and Marine Branch to Support Detroit Police Department (DPD)

**BLUF:** on June 8, 2020, the Detroit Police Department is requesting assistance from US Customs and Border Protection, Great Lakes Air and Marine Branch from 1600-0200, 6/8/2020 to 06/9/2020. Protests and civil unrest in the City of Detroit continue with confrontation with police. Request approval to assist DPD with (b)(7)(E) helicopter to provide (b)(7)(E) capabilities throughout the evening to identify criminal activity and enhance officer safety/situational awareness.

**INFORMATION**

- Date of Request: 6/8/2020
- Time Frame: 6/8/2020 to 6/9/2020 - 1600-0200
- Status: Active
- Request from: DPD
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Air support
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING



Bellingham Air and Marine Branch/Spokane Air Unit to Support Spokane Police Department (SPD)

**BLUF:** on June 8, 2020, Spokane PD and Spokane County have requested [(b)(7)(E)] support from SFF. The request is [(b)(7)(E)] events on the ground as they transpire. Occupy Spokane has planned a demonstration downtown for Sunday Afternoon. The event is expected to wrap up by 5pm. There is intelligence concerning out of town elements planning on causing a disturbance during or after the main protest wraps up. SFF will support the county and PD: [(b)(7)(E)]

**(b)(7)(E)**

[(b)(7)(E)] STL support request for [(b)(7)(E)] support to Spokane PD/Spokane County during Occupy Spokane Protest Sunday afternoon June 14, 2020.

**INFORMATION**

- Date of Request: 6/8/2020
- Time Frame: 6/14/2020 1600
- Status: Active
- Request from: SPD
- USBP Supporting Element: [(b)(7)(E)]
- Support Requested: Air Support/ [(b)(7)(E)]
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

**IMPACT ON AMO OPERATIONS OR PERSONNEL:**

1. See above
2. No Degradation of mission
3. No loss of mission critical capabilities.
4. All air unit personnel are accounted for
5. Additional planned protests for June 6, 2020  
1 Mission / 1 Mission request [(b)(7)(E)] 10.3hrs. flight time

**Great Lakes Air and Marine Branch (Operating out of Buffalo Air Unit)**

- Homeland Security Investigations Special Agent in Charge Buffalo in collaboration with Buffalo Federal / State and local partners requested assistance from CBP, Great Lakes Air and Marine Branch Buffalo Air and Marine Units beginning at 1500 local on June 1st and as required to assist in providing these partners situational awareness through (b)(7)(E) to the tactical command center. Specific mission objectives are the security of Homeland security investigations Offices and the Western District of New York Federal Court House. Air and Marine Operations Buffalo is requesting to provide (b)(7)(E) airplane, crew and (b)(7)(E) Air and Marine Tactical Communications Agent for assignment in the Tactical Operations Center to coordinate communication (b)(7)(E)
- The Aurora, IL Police Department is requesting assistance from US Customs and Border Protection, Great Lakes Air and Marine Branch from 1600-2200, 6/01/2020. Aurora, PD is running low on (b)(7)(E) and they are concerned they won't have enough for protests and civil unrest anticipated for this evening. APD is requesting a Great Lakes Air and Marine Branch/Chicago Air unit (b)(7)(E) (b)(7)(E) (b)(7)(E) Request C1 approval in assisting APD with (b)(7)(E) to provide transportation of (b)(7)(E) to Aurora, IL Police Department
- The United States Secret Service (USSS) Special Operations Division (SOD) is requesting assistance from CBP Great Lakes Air and Marine Branch (GLAMB) from 1800 – 0200 on June 1, 2020, through June 5, 2020, or until the ongoing civil unrest has ceased. Request to assist USSS SOD with (b)(7)(E) helicopter (b)(7)(E) to provide QRF lift capabilities throughout the evening.
- June 1, 2020, CBP GLAMB launched (b)(7)(E) at the request of the Detroit Police Department (DPD) as the civil unrest continues and confrontations with the police. DPD notified protestors of 2000 curfew and directed protestors to depart.
- (b)(7)(E) assisted the DPD with the apprehension of remaining protestors ignoring the order to depart

**Yuma Air Branch:**

- El Centro Sector (ELC) requested air support on June 1, 2020, in the event of civil unrest for multiple locations in Imperial Valley, CA.
- YAB is providing (b)(7)(E) capability and crew to cover this event. This crew will launch (b)(7)(E) Airport for reduce response delay and local coordination.
- San Diego (SDAMB) and Tucson (TAB) Air Branches will provide additional support. SDAMB is providing a (b)(7)(E) to cover the Indio event. TAB will have a (b)(7)(E) available for callout.
- The locations have been provided below (b)(7)(E) (b)(7)(E)
  - The Imperial County Courthouse
  - The Indio Miles Park. Indio PD will have officers at the location
  - Palm Desert, near El Paseo
  - San Diego and the Palm Springs Starbucks

**AMO Branch/Unit:** Yuma (YAB) Air Branch

**Event Summary:** At approximately 12:30 pm (MST), El Centro USBP Sector (ELC) requested air support in the event of civil unrest for multiple locations in Imperial Valley, CA. They provided a schedule of the planned protests (included below) (b)(7)(E)

(b)(7)(E)

ELC Executive Summary attached.

The Imperial Courthouse (b)(7)(E) YAB is providing (b)(7)(E) with (b)(7)(E) capability and crew to cover this event. This crew will launch to (b)(7)(E) Airport for reduce response delay and local coordination. YAB reached out to San Diego (SDAMB) and Tucson (TAB) Air Branches for additional support. SDAMB is providing a (b)(7)(E) to cover the Indio event. TAB will have a (b)(7)(E) available for callout to our AOR.

**Upcoming Protest Schedule:**

On June 1, there are several gatherings scheduled:

- o El Centro- 6:00 p.m., Imperial County Courthouse
- o Indio- 6:00 p.m. to 8:00 p.m., Miles Park. Indio PD will have officers at the location
- o Palm Desert- 5:00 p.m., near El Paseo
- o San Diego- 6/2/20 5pm-7pm; 6/6/20 12 pm
- o Palm Springs – 10 a.m. – 4 p.m., Starbucks

YAB will maintain this posture and continue to coordinate with both the Tucson and San Diego Air Branches should the situation in Yuma deteriorate.

**POC for Report:** DAMO (b)(6), (b)(7)(C)

**Event Location:** El Centro, CA

**Local Date / Time:** June 1, 2020 / 1230 hours Local

**Approximate TimeLine (all Times Local)**

1511 Yuma Air Branch launched (b)(7)(E) to attend briefing at Departments Command Post for unrest operations

1547 (b)(7)(E) arrived Command post for briefing.

1635 (b)(7)(E) departed briefing for (b)(7)(E) Airport to standby.

1645 (b)(7)(E) landed (b)(7)(E) Airport to standby for mission.

1831 (b)(7)(E) departed to monitor protesting.

2030 (b)(7)(E) released and landed (b)(7)(E) Airport for fuel. Mission complete, no significant activity to

Great Lakes Air and Marine Branch Buffalo Air and Marine Units

**BLUF:** On June 3, 2020, Homeland Security Investigations Special Agent in Charge Buffalo in collaboration with Buffalo Federal / State and local partners is requesting assistance from CBP, Great Lakes Air and Marine Branch Buffalo Air and Marine Units beginning at 1500 local on 6/3 and as required. Air and Marine Operations Buffalo has been requested to assist in providing these partners situational awareness through: (b)(7)(E) (b)(7)(E) to the tactical command center. Specific mission objectives are the security of Homeland security investigations Offices and the Western District of New York Federal Court House. Air and Marine Operations Buffalo is requesting to provide: (b)(7)(E) airplane, crew and (b)(7)(E) Air and Marine Tactical Communications Agent for assignment in the Tactical Operations Center to coordinate communication: (b)(7)(E).

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020 STANDBY as required
- Status: Active
- Request from: HSI Buffalo
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Communications: (b)(7)(E)
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch / NYAU

**BLUF:** NYAU (b)(7)(E) to fly New York City, New York aerial surveillance of protests in support of NYC HSI 06/06/2020. Mission coverage 1600-2400

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020 1600 - 2400 Eastern Standard Time (EST)
- Status: Active
- Request from: HSI
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Aerial Surveillance
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

Manassas Air Branch / NCR

**BLUF:** MAB (b)(7)(E) to fly NCR aerial surveillance in support of CBP EOC 6/3/2020. Mission coverage 1000-0200.

**INFORMATION**

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020 to 6/4/2020, 1000 - 0200 Central Standard Time (CST)
- Status: Active
- Request from: USSS/ SOD
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Aerial Surveillance
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

**AMO Branch Unit:** Great Lakes Air and Marine Branch - Chicago Air Unit

**Event Summary:** Air Support request from Special Agent In Charge (SAC) Homeland Security Investigations Buffalo / Other federal / State and local law enforcement for the security of federal property and law enforcement operations.

**POC/Contact:**

AMO-SAIA	(b)(6), (b)(7)(C)
HSI- SAC	(b)(6), (b)(7)(C)
HSI-SSA	(b)(6), (b)(7)(C)

**Event Location:** Buffalo, NY Area of Responsibility

**Date/Time:** 06/03/2020 STANDBY as required

**Description and Timeline:**

Homeland Security Investigations Special Agent in Charge Buffalo in collaboration with Buffalo Federal / State and local partners is requesting assistance from CBP, Great Lakes Air and Marine Branch Buffalo Air and Marine Units beginning at 1500 local on 6/3 and as required. Air and Marine Operations Buffalo has been requested to assist in providing these partners situational awareness through (b)(7)(E) to the tactical command center. Specific mission objectives are the security of Homeland security investigations Offices and the Western District of New York Federal Court House. Air and Marine Operations Buffalo is requesting to provide (b)(7)(E) airplane, crew and (b)(7)(E)

Air and Marine Tactical Communications Agent for assignment in the Tactical Operations Center to coordinate communication: (b)(7)(E)

Manassas Air Branch / Philadelphia

**BLUF:** On June 3, 2020, the Philadelphia Office of Emergency Management (POEM) requested aerial surveillance of the City of Philadelphia.

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020 to 6/4/2020 1000-1800
- Status: Active
- Request from: POEM
- AMO Supporting Element: (b)(7)(E)
- Support Requested: Tactical Air Support
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

**Manassas Air Branch / NYAU**

Manassas Air Branch / NYAU Air Support for NYC HSI

**BLUF:** On June 7, 2020, NYAU (b)(7)(E) to fly NY City aerial surveillance of protests in support of NYC HSI 06/07/2020.

INFORMATION

OUTCOME:

- Active

TIMELINE:

- Mission coverage 1600-2400

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## Office of Field Operations:

**Strategic readiness information from the Office of Field Operations (OFO) in regards to civil disturbances in multiple U.S. cities:**

1. Any action(s) undertaken by your Component to prepare for or respond to any incident or event related to a civil disturbance;
  - a. OFO Communicated to all field offices the requirement to notify OFO headquarters of all requests for assistance by federal, state, and local law enforcement in response to the ongoing demonstrations.
  - b. Mustered all OFO employees on the need to maintain increased vigilance and to take necessary safety precautions on and off duty.
  - c. OFO Special Response Team operators have been placed on standby and instructed to prepare for immediate deployment to CBP locations to minimize any potential threat to operations and critical infrastructure.
  - d. (b)(7)(E) are ongoing, as a preparatory precaution.
  - e. Encouraged perimeter patrols and heightened Law Enforcement presence (b)(7)(E) (b)(7)(E)
  - f. Port Hardening measures stand ready and can be deployed in the event of an emerging incident.
  - g. OFO continues in communication with CBP Task Force Officers (TFO), U.S. Border Patrol, Federal Protective Service (FPS), Homeland Security Investigations and local Law Enforcement to ensure a coordinated response.
  - h. CBP TFOs are providing intelligence received from local partners to the field officers.
  - i. OFO intelligence teams are monitoring the news and social media outlets regarding any threats to law enforcement or planned protests within the ports and will provide real time updates to the field.
  - j. OFO is monitoring (b)(7)(E) to survey incident conditions and actions by local jurisdictions.
  - k. OFO is using the Emergency Notification System to inform personnel of impacted areas the increased in civil disturbances and implementation of curfews.
  - l. The OFO Emergency Medical Services program has upwards of (b)(7)(E) experienced licensed and credentialed Medical Providers/Law Enforcement officers strategically assigned throughout nation that are able to support local first responder agencies during these periods of civil unrest if needed.
  - m. OFO land border POEs continue to communicate with their Mexican and Canadian counterparts, in the event that facility closures or traffic restrictions are required.
  - n. San Francisco Field Office (b)(7)(E)  
(b)(7)(E)
  - o. San Francisco has (b)(7)(E) (b)(7)(E)
  - p. Los Angeles Field Office deployed SRT operators to the (b)(7)(E)  
(b)(7)(E)
  - q. Laredo Field Office will continue to conduct (b)(7)(E) to ensure operational readiness.

- r. (b)(7)(E) is continuing to monitor social media platforms and other sources of information for any changes.
  - s. Detroit is responding to the (b)(7)(E) for force protection.
  - t. El Paso SRT is deploying to (b)(7)(E) for force protection due to protest occurring nearby.
  - u. Tucson SRT remain ready for port or local law enforcement support.
  - v. Los Angeles/Long Beach Seaport's management re-opened the port office at 0900 hours PDT after conducted a security assessment of the port office and its immediate surrounding. The port office building was not affected by the civil unrest and the area had a heavy police and National Guard presence. All employees returned to the building safely.
  - w. Boston Field Office Logan Airport CBP officers were mustered on the solicitation for volunteers for "Potential Deployments Related to the Ongoing Civil Unrest" and were advised of the response deadline.
  - x. Boston Chief Counsel is preparing First and Fourth Amendment training for CBP officers that may be deployed.
  - y. Seattle Field Office conducted a test of the Emergency Notification System at the Area Ports of Blaine, WA and Sweetgrass, MT.
  - z. New York Field Office leadership has offered CBP assistance to local law enforcement partners to include, HSI, FBI, PAPD, Drug Enforcement Agency (DEA), New York City Police Department (NYPD) and United States Secret Service.
  - aa. The Detroit Intelligence Group has been monitoring the organized protest on social media feeds in which Antifa, outlaw motorcycle gangs and other violent groups will be participating during the gatherings.
  - bb. JFK and Port of New York/Newark volunteers for the Critical Security Assignment were instructed to complete an Office Chief Counsel 1st and 4th Amendment WebEx as a prerequisite to deployment and to confirm completion with port management.
  - cc. El Paso Field Office managers participated in daily calls hosted by U.S. Attorney (b)(6), (b)(7)(C) and (b)(7)(E) that provided updates on the emerging situation.
2. Changes (degradation or restoration) to your Component's ability to execute or sustain its homeland-security mission; perform a mission essential function(s); or support state, local, tribal, territorial, private-sector or international partners;
- a. Currently, there have been no impacts in OFO's ability to execute or sustain its Mission.
  - b. There have been no requests to support our Law Enforcement Partners at this time, although OFO stands ready to assist if requested.
  - c. Federal Protective Service has been engaged and is prepared to assist in the event of a threat to Federal Inspection Stations.
  - d. San Diego Harbor Police, San Diego, CA is requesting assistance from the CBP's Port of San Diego. San Diego. Once coordination is established updates will be provided.



- e. On May 30, 2020, Miami International Airport (MIA) CBP requested SRT support due to intelligence received from local law enforcement that protestors were heading to the airport. (b)(7)(E) SRT Operators with (b)(7)(E) and (b)(7)(E) CBP Emergency Management Technician were deployed.
- f. The Federal Bureau of Investigation (FBI) requested CBP TFOs assistance to support their office in Seattle. Seattle CBP TFOs are on-site to assist in (b)(7)(E) (b)(7)(E) on any person who breaches the building.
- g. The Port of Seattle's Police asked for CBP assistance if the protests move toward the airport. No action at this time.
- h. CBP officers assigned to the Miami Seaport Port of Entry (POE) have (b)(7)(E) (b)(7)(E) with the Miami-Dade Police Department.
- i. On May 30, 2020, CBP officers assigned to the (b)(7)(E) (b)(7)(E) responded to the (b)(7)(E) at the request of FBI leadership and prepared to assist with any investigative needs or to assist in the evacuation of any operationally essential FBI personnel working in a building in the immediate area of the protest activity.
- j. On May 30, 2020, SRT provided assistance to the Buffalo Police Precinct in a support role with no direct contact with protestors. (b)(7)(E) (b)(7)(E)
- k. The CBP Buffalo Field Office SRT has been requested by the Enforcement and Removal Office to assist their team today, May 31, 2020 as a force multiplier in securing the Federal Court House in downtown Buffalo.
- l. CBP officers assigned to (b)(7)(E) participated in interviews with subjects in custody with Chicago Police Department related to riot activity.
- m. Multiple CBP SRTs have been activated and responded to POEs to provide an enhanced security posture throughout the country.
- n. The New York Field Office Tactical Analytical Unit is providing analytical support to TFOs and law enforcement partners.
- o. The New York Field Office CBP TFO assigned to the (b)(7)(E) provided analytical support into the criminal investigation of an individual who threw a Molotov cocktail at New York Police Department personnel/property during a May 30, 2020 civil disturbance in Brooklyn, NY.
- p. The New York Field Office CBP TFOs assigned to the (b)(7)(E) (b)(7)(E) are supporting the New York City Police Department providing intelligence and analysis of suspicious persons and events.
- q. The National Guard has been activated to the State of Washington.
- r. San Diego Field Office advised CBP personnel was assigned to assist Harbor Police at the San Diego International Airport.
- s. Detroit Field Office received a support request from Detroit PD (DPD) for (b)(7)(E) (b)(7)(E) vehicles, (b)(7)(E) supervisor, and (b)(7)(E) CBP officers to provide support to block access to the DPD Command Post/Staging Area.
- t. Miami Field Office deployed (b)(7)(E) Miami Seaport CBP Officers and (b)(7)(E) SRT Operators, with Miami-Dade Police Department (MDPD), provided (b)(7)(E)

(b)(7)(E)

- u. Atlanta Field Office SRT responded to the Atlanta Police Department to assist.
- v. Laredo Field Office SRT requested to assist DEA TFO to protect the DEA office in McAllen, TX.
- w. Buffalo Field Office SRT personnel were assigned to assist in securing the Federal Courthouse in Buffalo, NY in coordination with other Department of Homeland Security personnel.
- x. Buffalo SRT assisted the Buffalo Police Department (BFD) and the New York State Police (NYSP) during civil unrest when one BFD and NYSP officer were struck by protestor's vehicle. Both officers are in stable condition.
- y. San Francisco Field Office received an inquiry from the Port of Portland Police Chief (airport and seaport authority) on the level of training, equipment and supplies that are available to CBP at PDX.
- z. Preclearance Field Office deployed (b)(7)(E) CBP officers and (b)(7)(E) SRT Operator in Washington, DC to assist federal partners.
- aa. Seattle Field Office was requested assistance by the Chief of Police Fargo, ND for a SRT member to assist in security at the funeral of Fargo Police Officer killed in the line of duty. Pembina, ND will provide (b)(7)(E) SRT operator for today's funeral.
- bb. Seattle Field Office was requested assistance by FBI and all (b)(7)(E) including TFOs to support the FBI office in Seattle. Seattle (b)(7)(E) CBP TFO is on-site to assist in (b)(7)(E) any person who breaches the building.
- cc. Seattle Field Office was requested assistance by the Port of Seattle Police to assist if the protests move toward the airport.
- dd. New York Field Office in response to DHS Support to the Department of Justice (DOJ), identified officers for immediate deployment to assist law enforcement partners with the ongoing civil disturbances. NYFO Mission Support has also identified (b)(7)(E) vehicles equipped with lights and sirens, which may be used to support operations.
- ee. Atlanta Field Office provided (b)(7)(E) SRT Operator at the Atlanta Police Department Emergency Operations Center as a liaison for any requests for CBP assistance.
- ff. Chicago Field Office (b)(7)(E) TFOs have participated in (b)(7)(E) interviews with subjects in custody with Chicago Police Department related to riot activity resulting in federal charges filed.
- gg. Chicago Field Office (b)(7)(E) TFOs have been assigned to area FBI Command Centers, placed on standby to be recalled to support investigative activities, and/or secure federal facilities.
- hh. Detroit Field Office (b)(7)(E) at the FBI Command post and the Detroit Police Emergency Operations Center.
- ii. The Baltimore Field Office deployed (b)(7)(E) CBP officers from the Area Port of Washington, D.C./Dulles, (b)(7)(E) CBP officers from the Area Port of Baltimore, and (b)(7)(E) SRT operators from the Baltimore Field Office have been deployed to provide support to Secret Service in response to the ongoing civil disobedience occurring in Virginia and Washington, DC.
- jj. The Baltimore Field Office deployed (b)(7)(E) CBP officers from the Area Port of Philadelphia to the Philadelphia Police Department EOC Service in response to the ongoing civil disobedience occurring in Philadelphia, PA.

- kk. Houston Field Office SRT provided assistance to DEA to protect their offices.
- ll. Buffalo Field Office SRT operators performed escort duties at the BPD headquarters during active protests and perimeter security after curfew until BPD was able to ensure neighborhood streets were clear.
- mm. New Orleans Field Office increased vigilance, coordination with FPS for increased facility security. New Orleans Customhouse (b)(7)(E) (b)(7)(E) until Monday, June 8, 2020.
- nn. Atlanta Field Office, Savannah, GA CBP officers and FPS patrolled the designated Federal facility and provided (b)(7)(E) SRT operator to the Atlanta Police Department Area EOC; vetting tactical needs of the local and federal LE partners.
- oo. NYFO CBP officers were mobilized to assist PAPD's operational plan (b)(7)(E) (b)(7)(E) in an effort to support our local partners.
- pp. Seattle Field Office CBP officers assisted Seattle Port Police (b)(7)(E) (b)(7)(E)
- qq. Seattle Field Office provided one SRT operator as part of the (b)(7)(E) (b)(7)(E) to support the Grand Forks Police Department in a scheduled protest at the funeral of a fallen officer.
- rr. San Diego Field Office received a request for support from the San Diego Police Department and FBI to staff their respective command posts with CBP officers (b)(7)(E)
- ss. El Paso Field Office received a request from Western District FPS to support with protection of the El Paso Federal Building, Federal Courthouse, historic courthouse and the El Paso County Detention Facility.
- tt. On June 9, 2020, (b)(7)(E) CBP officers are to assist TAA Police with the (b)(7)(E)

**(b)(7)(E)**

- 3. Changes to your Component's operating status, including the loss or restoration of Department mission-critical capabilities or the activation or deactivation of a Component-level Continuity of Operations plan;
  - a. Ports of Entry and Operations Center have been placed in a heightened security posture and continues to monitor the situation.
  - b. OFO Continuity of Operation Plans (COOP) are in place; however, there has been no requirement to activate our COOPs.
- 4. Accountability of personnel affected by any incident or event related to a civil disturbance, including reports of injured, deceased, or displaced Department employees and contract support personnel;
  - a. There have been no reports of injured, deceased or displayed OFO employees.
  - b. CBP is ready to implement phone tree if needed.
- 5. Any amplifying information you believe would increase the Secretary's or Deputy Secretary's situational awareness or understanding of the situation.
  - a. There is no specific intelligence at this time indicating any threats to OFO or its employees.

- b. The Detroit Intelligence Group has been monitoring the organized protest on social media feeds in which Antifa and other violent groups will be participating during the gatherings.
- c. The Tucson Field Office advised that the Governor has implemented a statewide curfew beginning at 2000 hours tonight through 0500 hours until further notice.
- d. The Detroit Field Office advised that the city of Detroit has implemented a curfew beginning at 2000 hours in response to violence during protesting.
- e. The Miami Field Office advised the city of Tampa instituted a curfew effective 1930-0600 hours.
- f. The Miami Field Office advised Broward County issued a countywide curfew effective 2100-0600 hours for the next seven days.
- g. Miami International Airport (MIA) CBP Officers with Miami Dade Police Department and Miami-Dade Aviation Department: (b)(7)(E)  
(b)(7)(E)
- h. June 3, 2020 - BLM Protest at the Metropolitan Court House Downtown in Deming, New Mexico. Reported by: (b)(7)(E)
- i. City of West Palm Beach instituted a curfew effective 2100-0600 hours until June 3, 2020.
- j. NYFO was notified by the PAPD of a threat that ANTIFA intends to topple the 9/11 "Teardrop" Memorial in Bayonne, NJ which is near the Bayonne Cruise Ship Terminal. CBP was in contact with the PAPD and Bayonne Police Department. (b)(7)(E)  
(b)(7)(E)
- (b)(7)(E) At this time. CBP operations have not been affected.
- k. The Georgia National Guard stationed in Savannah, GA is on standby.
- l. JFK PAPD and CBP were made aware of a threat via Snapchat stating: "WE BOUT TO HIT THE AIRPORT; WHO KNOW HOW TO FLY A PLANE? I know JFK personally; I worked there for 3 years; trust Bhef we good meeting at T4 at 7:15". It was discovered that the snapchat post was made by a former airport employee that worked at JFK within the last three months. No real protest was expected, but law enforcement presence at JFK was stepped up as a precaution under PAPD operational plan (b)(7)(E)
- m. El Paso Field Office reported a BLM Protest will take place on June 3, 2020 at the Metropolitan Court House in downtown Albuquerque, NM.

**Pre-Clearance Field Office**

Pre-Clearance Field Office

**BLUF:** On June 2, 2020, PCFO provided assistance and support to Federal and Local law enforcement partners to respond and prevent further rioting, vandalism and destruction due to the ongoing civil unrest in the Washington, District of Columbia, National Capital Region area on June 1, 2020. PCFO, consisting of CBPO's and SRT joined other members of OFO, U.S. Border

Patrol and Air and Marine at CBP HQ at 1500 hours on June 1, 2020 to receive orders and locations in which to deploy in support of securing the city. The DFO was designated as the OFO Lead Field Coordinator (LFC), and coordinated response missions around the city along with other Federal Law Enforcement agencies.

**INFORMATION**

- Date of Request: 6/01/2020
- Time Frame: 6-1-2020 to 6-2-2020
- Status: Active
- Request from: federal and local law enforcement
- OFO Supporting Element: DFO, (b)(7)(E) ADFO's, (b)(7)(E) Branch Chiefs, and (b)(7)(E) SRT member
- Support Requested: Support Federal and local law enforcement partners
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

**Baltimore Field Office**

Philadelphia POE assistance to Philadelphia Police Department (PPD)

**BLUF:** On June 2, 2020, the Philadelphia POE has deployed (b)(7)(E) officers to assist PPD and will be responding to the PPD EOC, no specific mission identified at this time. Operational support is expected to commence at 1800 hours. Specific staffing needs and operational assignments are being determined.

**INFORMATION**

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 to 6/3/2020
- Status: Active
- Request from: Philadelphia PD
- OFO Supporting Element: (b)(7)(E) Officers
- Support Requested: PENDING
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

**El Paso Field Office**

El Paso Field Office Support to El Paso Police Department (EPD)

**BLUF:** On June 2, 2020 at 1130 hours (MDT), Deputy Director of Field Operations (DDFO)

(b)(6), (b)(7)(C) received a request for assistance from Federal Protection Service (FPS) Commander (b)(6), (b)(7)(C). The request is a result of a scheduled protest scheduled to take place at 1900 hrs. (MDT) this evening, in an area that is adjacent to the federal building, federal courthouse, historic courthouse and the county jail in El Paso, Texas. The Brown Berets Del Chuco, with all indications that it will be peaceful, organized the protest. However, FPS – consistent with its responsibility to secure federal buildings, has solicited assistance from local police and federal partners. The current request is for CBPOs to assist in securing the interior of the federal building in the event of a breach. The local El Paso Police Department (EPPD) will be providing approximately (b)(7)(E) EPPD Officers, with FPS only able to provide (b)(7)(E). The BSC within the El Paso Field Office will gather the number of Officers (MFF trained and SRT that are available) and provide assistance, without compromising our enforcement mission.

INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 1900 hrs. MST
- Status: Active
- Request from: EPD
- OFO Supporting Element: (b)(7)(E) SRT operators and (b)(7)(E) Mobile Field Force officers
- Support Requested: CBPOs to prevent damage or unrest during a scheduled protest.
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

**Detroit Field Office**

Detroit Field Office Support to Detroit Police Department (DPD)

**BLUF:** On June 2, 2020, the Detroit Field Office received a request to support the Detroit Police Department (DPD) with (b)(7)(E) CBPOs and (b)(7)(E) Supervisor CBPOs with ongoing protests and civil unrests in the metropolitan Detroit area. This request is a continuation of the support approved on 6/1/2020. DPD requested (b)(7)(E) GOVs and personnel to assist local law enforcement with perimeter control of their staging area surrounding their Emergency Operations Center (EOC).

INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/1/2020 - TBT
- Status: Active
- Request from: EPD
- OFO Supporting Element: PENDING

- Support Requested: PENDING
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

### **New York Field Office**

#### John F. Kennedy Airport Support to Port Authority Police Department (PAPD)

**BLUF:** On June 2, 2020, NYFO has deployed (b)(7)(E) officers from the JFK Airport to assist PAPD in response to a possible civil disturbance on airport property. The NYPD provided the PAPD with advanced intel of the intended disturbance. Operational support is expected to commence at 1800 hours. The responding officers will participate as a security detail.

INFORMATION

- Date of Request: 6/02/2020
- Time Frame: 6-2-2020 1800 hrs.
- Status: Active
- Request from: PAPD
- OFO Supporting Element: DFO, (b)(7)(E) Officers, and managers
- Support Requested: Support local law enforcement partners
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

#### CBP NY (b)(7)(E) Task Force Officers to Support New York Police Department (NYPD)

**BLUF:** On June 2, 2020, NYFO has deployed (b)(7)(E) Task Force officers assigned to the (b)(7)(E) to assist the NYPD in protecting the Times Square Station while NYPD officers perform crowd control and policing duties. (b)(7)(E) Operational support is expected to commence at 2000 hours.

INFORMATION

- Date of Request: 6/02/2020
- Time Frame: 6-2-2020 2000 hrs.
- Status: Active
- Request from: NYPD
- OFO Supporting Element: DFO, (b)(7)(E) TFOs and DEA Agents
- Support Requested: SRT to provide physical security in support of Federal, state and local law enforcement partners

- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

New York Field Office Support to New York Police Department (NYPD)

**BLUF:** New York Field Office was requested by NYPD to utilize their BEST (Border Enforcement Security Team) with ongoing protests and civil unrests in the New York City area and protect the 84th Precinct in Brooklyn, NY.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: NYPD
- OFO Supporting Element: BEST on standby
- Closeout: Supported

OUTCOME:

- PENDING

TIMELINE:

- 6/4/2020 - TBD

New York Field Office Support to FBI New York/ New Jersey

**BLUF:** On June 5, 2020, the NY FBI Office: (b)(7)(E)  
(b)(7)(E) (b)(7)(E) CBP NYFO TFOs assigned to the (b)(7)(E)  
will cover the JOC 24x7 and provide analytical and operational support as needed. The Newark  
FBI Criminal Division: (b)(7)(E)  
(b)(7)(E) CBP TFO will be assigned to provide  
analytical and operational support as needed.

INFORMATION

- Date of Request: 6/5/2020
- Time Frame: 6/5/2020 to 6/6/2020
- Status: Active
- Request from: FBI
- OFO Supporting Element: (b)(7)(E) CBPOs
- Closeout: Supported

OUTCOME:

- PENDING



TIMELINE:

- 6/5/2020 – TBD

New York Field Office Support to New York City Police Department (NYPD)

**BLUF:** On June 6, 2020, the New York City Police Department (NYPD) requested the NY Drug Enforcement Administration (DEA) to assist in securing precincts while they deploy additional officers to policing duties throughout the city. (b)(7)(E) CBP NYFO Task Force Officers (TFOs) assigned to the (b)(7)(E) will assist in securing NYPD's Times Square Station.

INFORMATION

- Date of Request: 6/6/2020
- Time Frame: TBD
- Status: Active
- Request from: NYPD
- OFO Supporting Element: (b)(7)(E) CBPOS
- Closeout: Supported

OUTCOME:

- PENDING

TIMELINE:

- 6/6/2020 – TBD

New York Field Office Support to Westwood New Jersey Police Department

**BLUF:** On June 6, 2020, the Westwood, NJ Police Department requested Newark Homeland Security Investigations (HSI) assist the police department with crowd control for a planned peaceful protest in Westwood, NJ. Westwood, PD advised the planned event is a one-hour standing, kneeling, or sitting peaceful non-violent demonstration to show unity to the public and fellow law enforcement. (b)(7)(E) CBP TFO assigned to (b)(7)(E) will assist Westwood, NJ PD.

INFORMATION

- Date of Request: 6/6/2020
- Time Frame: TBD
- Status: Active
- Request from: Westwood NJ PD
- OFO Supporting Element: (b)(7)(E) CBPO
- Closeout: Supported

OUTCOME:

- PENDING

TIMELINE:

- 6/6/2020 - TBD

**Houston Field Office**

Houston Field Office to Support Drug Enforcement Administration (DEA)

**BLUF:** On June 2, 2020 The Houston Field Office (HFO) received a request for support from the Houston DEA, for personnel to help secure and protect Federal property and law enforcement partners in connection with ongoing protests and civil unrest in the Houston area. HFO deployed (b)(7)(E) OFO Special Response Team (SRT) operators to assist with physical security of the Houston DEA office where evidence, narcotics, and sensitive information is stored. SRT will also provide support with public safety, as well as assist local, state and federal law enforcement partners. In executing the request for support, SRT operators will provide vehicles and equipment.

INFORMATION

- Date of Request: 6/2/2020
- Time Frame: 6/2/2020 2030 hrs. CDT
- Status: Active
- Request from: Houston DEA
- OFO Supporting Element: (b)(7)(E) SRT operators
- (b)(7)(E) vehicles staged at the (b)(7)(E)
- (b)(7)(E)
- (b)(7)(E)
- (b)(7)(E)
- Support Requested: Tactical and medical capabilities, including crowd control techniques
- Close Outs: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

CBP Officers to Support Houston Port Police (HPP)

**BLUF:** On June 3, 2020, The Houston Field Office received the below request to support Port Houston Port Police with OFO CBP Houston Seaport CBP officers to serve as standby Law Enforcement officers in the event they are needed to secure and protect Port Houston Barbours Cut Container Terminal and law enforcement partners in connection with ongoing protests and civil unrest in the Houston, Texas area. (b)(7)(E) OFO Houston Seaport CBP officers are requested to assist with physical security of Port Houston Barbours Cut Container Terminal. OFO Houston Seaport CBP Officers are requested to serve as standby Law Enforcement officers in the event they are needed to assist in efforts to ensure officer and public safety as well as assist local, state and federal law enforcement with ongoing protests and civil unrest in the Houston, Texas area.

INFORMATION

- Date of Request: 6/3/2020
- Time Frame: 6/3/2020
- Status: Active
- Request from: HPP
- OFO Supporting Element: (b)(7)(E) Officers
- Closeouts: Supported

OUTCOME:

- PENDING

TIMELINE:

- PENDING

**BLUF:** On June 4, 2020, Houston Field Office Seaport will be providing assistance to the Port of Houston Port Police if they become overwhelmed at the Barbour's Cut Container Terminal.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: Port of Houston Port Police
- OFO Supporting Element: Standby
- Closeout: Supported

OUTCOME:

- PENDING

TIMELINE:

- 6/4/2020 – TBD

**Laredo Field Office**

Laredo Field Office Support to City of Laredo, TX

**BLUF:** On June 4, 2020, a protest is scheduled at Laredo City, TX Hall. No request for assistance. Information only.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: None
- OFO Supporting Element: N/A
- Closeout: N/A

OUTCOME:

- PENDING

TIMELINE:

- 6/4/2020 - TBD

Laredo Field Office Support to City of Edinburg, TX

**BLUF:** On June 4, 2020, a protest is scheduled under the pergola at the end of N. 6th Avenue in Edinburg, TX. No request for assistance. Information only.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: None
- OFO Supporting Element: None
- Closeout: None

OUTCOME:

- PENDING

TIMELINE:

6/4/2020 - TBD

**Miami/Tampa Field Office**

Miami Seaport Officers Support to Miami-Dade Police Department (MDPD)

**BLUF:** Miami Seaport will [REDACTED] (b)(7)(E) and inform CBP of any civil disturbances, [REDACTED] (b)(7)(E) were supported by [REDACTED] (b)(7)(E) CBP officers.

INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: MDPD
- OFO Supporting Element: [REDACTED] OFO liaison officers
- Closeout: Supported

OUTCOME:

- PENDING

TIMELINE:

6/4/2020 – TBD

**New Orleans Field Office**

New Orleans Field Office Support to New Orleans Police Department (NOPD)

**BLUF:** On June 4, 2020, the NFO received request to support the NOPD with ongoing protests and civil unrests in the New Orleans, Louisiana area. NFO has provided support to NOPD by providing (b)(7)(E) vehicles (b)(7)(E) to assist them with (b)(7)(E) (b)(7)(E) NFO continues to support all local, state, and federal law enforcement partners and continues to monitor all threats within the 5 states. At this time, no request or deployment of frontline personnel has been deployed to assist.

**INFORMATION**

- Date of Request: 6/4/2020
- Time Frame: TBD
- Status: Active
- Request from: NOPD
- OFO Supporting Element: (b)(7)(E) Vehicles
- Closeout: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- 6/4/2020 - TBD

**San Diego Field Office**

CBP Officers to Support San Diego Police Department and FBI

**BLUF:** The San Diego Field Office received a request for support from the San Diego Police Department (SDPD) and Federal Bureau of Investigation (FBI) to staff their respective Command Posts with CBP Officers: (b)(7)(E)

**INFORMATION**

- Date of Request: 6/1/2020
- Time Frame: Until further notice
- Status: Active
- Request from: San Diego Police Department and Federal Bureau of Investigation
- OFO Supporting Element: (b)(7)(E) total (b)(7)(E) SCBPO and (b)(7)(E) CBPO assigned to (b)(7)(E) (b)(7)(E) CBPO assigned to (b)(7)(E)
- Close Outs: Supported

**OUTCOME:**

- PENDING

**TIMELINE:**

- PENDING

## San Francisco Field Office

### Area Port of Portland Officers Support to Federal Protective Service (FPS)

**BLUF:** San Francisco/Portland Field Office, Area Port of Portland, OR received a request to support FPS with (b)(7)(E) CBP officers with ongoing protests and civil unrest in the downtown Portland area.

#### INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: FPS
- OFO Supporting Element: (b)(7)(E) CBP officers
- Closeout: Supported

#### OUTCOME:

- PENDING

#### TIMELINE:

- 6/4/2020 – TBD

## Seattle Field Office

### Seattle Field Office Support to Federal Okanogan County Sheriff's Office (OCSO)

**BLUF:** Seattle Field Office was requested by the Okanogan County, WA Sheriff's Office to borrow (b)(7)(E) for a planned protest on Thursday, June 4, 2020 at 1700 hours in Omak Washington. No CBP officers were requested.

#### INFORMATION

- Date of Request: 6/4/2020
- Time Frame: 6/4/2020 - TBD
- Status: Active
- Request from: OCSO
- OFO Supporting Element: (b)(7)(E)
- Closeout: Supported

#### OUTCOME:

- PENDING

#### TIMELINE:

- 6/4/2020 - TBD

## Office of Field Operations: 6/7/2020 (0600-2200)

- Total Number of Support Requests: 0
  - 0 request for personnel to perform crowd control, property protection, and tac medical response

- 0 requests to provide Less Lethal (b)(7)(E) munitions and (b)(7)(E) munitions
- Total Number of Approvals: 0
- Total Number of Personnel Requested: (b)(7)(E)
- Total Number of Personnel Approved: (b)(7)(E)

---

## Operations Support - LESC:

(b)(7)(E)

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## National Capital Region (Source: Federal Protective Service):

- The National Guard in Washington, D.C., is assisting U.S. Park Police as people continue to gather across the District Saturday evening
- CBP Employee Accountability confirmed and status is safe
- Employees were notified to be vigilant coming and exiting CBP HQ DC building
- Protestors around NCR
  - No apparent report of violence received as of this situational awareness.
  - Damage, vandalism and fires were reported at H Street and NW 16<sup>th</sup> Street.
  - Five DC National Guardsman were injured during the civil disturbance
  - The CVS on 13<sup>th</sup> Street NW and Pennsylvania Avenue sustained damage and vandalism.
  - Federal Protective Service reports damage to DOJ, EPA, White House Visitor Center, but no CBP facilities.
  - FPS reported a large fire at H Street side of the Veteran's Affair Building. The Snack Shack (Non-Government Building) in Lafayette Park is on fire and there are several vehicle fires on H Street NW. DCFD was notified. National Guard is staged In front of the (b)(7)(E)  
(b)(7)(E)  
(b)(7)(E) was notified.

### CBP Support to NCR

**BLUF:** Starting June 1, 2020, USBP, OFO, and AMO will assist Federal partners with general law enforcement activities as needed to protect the life and safety of the general public and first responders.

CBP Personnel Deployed: (b)(7)(E) on standby in the (b)(7)(E)  
Total Deployed Personnel as of report: (b)(7)(E)

Mission #1: Assist with security at the Washington Monument.

Assets Deployed: (b)(7)(E) Teams totaling (b)(7)(E) personnel

Mission #2: Assist with security at the African American Museum

Assets Deployed: (b)(7)(E) personnel

Mission #3: Assist with security at FPS Buildings Lafayette Square and VA building

Assets Deployed: (b)(7)(E) personnel

Mission #4: Assist with security at FB Main Building

Assets Deployed: (b)(7)(E) personnel

Mission #5: Assist FBI at the Law Enforcement Officers Memorial

Assets Deployed: (b)(7)(E) personnel

- CBP assets deployed and details, Aircraft type, vehicles: N/A
- CBP personnel deployed: (b)(7)(E)
- CBP Facilities damaged or disrupted: No CBP facilities disrupted or damaged at this time
- Total number of law enforcement support operations and location: (b)(7)(E)

#### INFORMATION

- Date of Request: 6/01/2020
- Time Frame: UNK
- Status: Active
- Request From: Department of Justice
- USBP Supporting Element: CBP HQ (b)(7)(E)
- Support Requested: Physical Security and Crowd Control
- Close Outs: Supported

#### OUTCOME:

- DOJ gave the order to demobilize.
- Deployed personnel have returned to the (b)(7)(E)
- No significant reportable incidents



- Agents encountered 2 scouts for protesters who diverted from 14th Street NW upon observing CBP presence
- Further updates pending

**TIMELINE:**

- 1100: USBPHQ hosted a WebEx meeting
- 1330: Personnel accountability/assignments/certifications
- 1400: LEOD compiling ID list
- 1430: DOJ lead LE agency
- 1431: LFC assigned
- 1615: POCs identified
- 1630: Personnel assembly/briefing
- 1751: Organization accountability
- 1815: Briefing
- 1904: Additional support deployed to Washington Monument
- 1935: [REDACTED] deputized CBP personnel deployed to Washington Monument
- 2000: Agents observe scouts diverting from 14<sup>th</sup> Street
- 2006: First teams on scene at the Washington Monument
- 2038: Lack of local Police at the MLK and LEO memorials
- 2048: [REDACTED] personnel on scene at the African American memorial
- 2053: OPA receives media inquiries about CBP NCR deployment
- 2137: [REDACTED] personnel at Le Enfant Plaza supporting FPS
- 2140: [REDACTED] personnel at the FBI field office assisting BOP
- 2215: [REDACTED] OFO SRT LEO memorial assisting FBI/[REDACTED] personnel at MLK memorial
- 2300: No reports of violence against CBP personnel
- 2307: [REDACTED] personnel deployed to Washington Monument
- 2314: [REDACTED] personnel deployed to African American Museum for relief

06/01/2020

- 0050: June 2, 2020, partial demobilization - all safe accountability, 1600 return
- 0100: AMO MAB [REDACTED] flew 3.5 hours, [REDACTED] provided to ICS
- 0240: All CBP personnel demobilization authorized by DOJ
- 0255: CBP personnel safe and accounted – no significant incidents reported

**Subject:** GSA and ES Assistance for OFO

**(b)(7)(E)**

06/02/2020

- 0050: June 2, 2020, USSS requested EMT and CBP provided [REDACTED] EMT.

06/03/2020

- 0050: June 2, 2020, USSS requested EMT and CBP provided [REDACTED] EMT.

06/06/2020

- CBP Personnel Deployed: (b)(7)(E) (AMO, USBP, and OFO)
- Personnel on Mission Assignments: (b)(7)(E)
- Additional NCR LE Information:
  - 1140 hours: SOG (b)(7)(E) New Executive Office Building providing (b)(7)(E) to United States Secret Service (USSS).
  - 1415 hours: AMO (b)(7)(E) is providing an aerial surveillance (b)(7)(E) to the Incident Command.
  - 
  - 1815 hours: All MFF personnel are currently staged at (b)(7)(E) and ready to deploy. DOJ has not identified any missions requiring CBP assistance as of this BLUF.

06/06/2020

- CBP Personnel Deployed: (b)(7)(E) (AMO, USBP, and OFO)

06/07/2020

- CBP Personnel Deployed: (b)(7)(E) (AMO, USBP, and OFO)
- Personnel on Mission Assignments: (b)(7)(E) (On Standby)

6/8/2020 (0600-2200)

- CBP Personnel Deployed: (b)(7)(E) (AMO, USBP, and OFO)
- Personnel on Mission Assignments: (b)(7)(E) (CLOSEOUT)

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/4/2020 11:13:20 AM  
**To:**  
**CC:** (b)(6), (b)(7)(C)  
**Subject:** FW: Civil Unrest  
**Attachments:** 03SEP2020 4th of July Support.docx

Sir,

Attached is the updated report through yesterday.

(b)(6), (b)(7)(C)  
Branch Chief (ACPA)  
Information and Incident Coordination Center  
CBP Watch  
Operations Support  
(Office)  
(b)(6), (b)(7)(C) (Cell)



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:**

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

**U.S. Customs and Border Protection**  
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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ	San Juan			
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

Office: CBP SITROOM  
 Updated: September 3, 2020

**U.S. Customs and Border Protection**  
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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (PAX): OFO SRT is providing SRT Officers from the Blaine POE, USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team**: LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

Office: CBP SITROOM

Updated: September 3, 2020

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E)
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

Office: CBP SITROOM  
 Updated: September 3, 2020

**U.S. Customs and Border Protection**  
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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. **USCG**
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM

Updated: September 3, 2020



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
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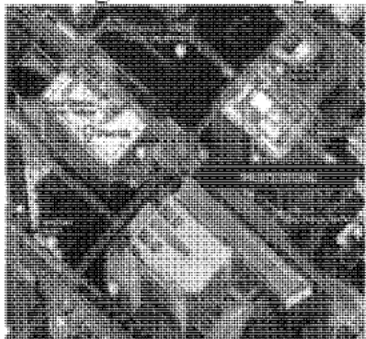
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

Office: CBP SITROOM  
Updated: September 3, 2020

## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

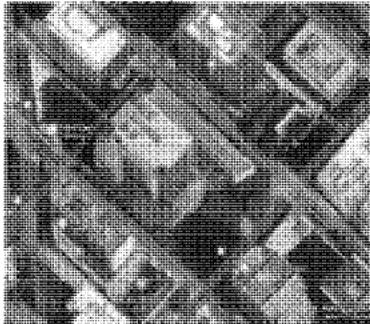
**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)
- (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)
  - (b)(7)(E)
  - OFO SRT received (b)(7)(E)
  - (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the 10 members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.



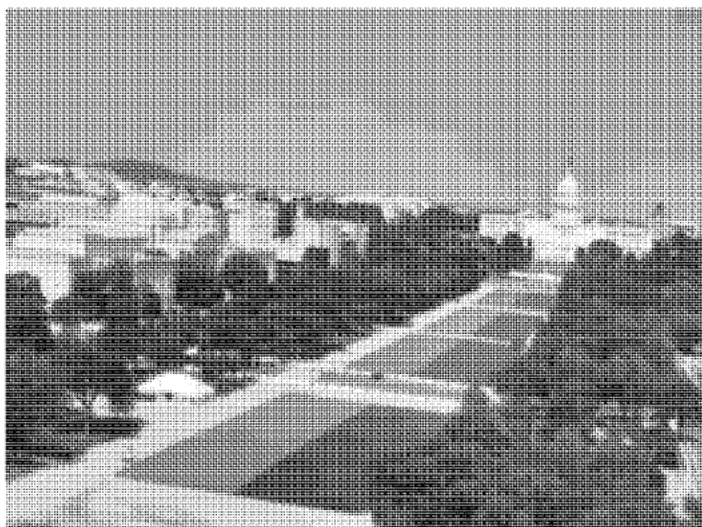
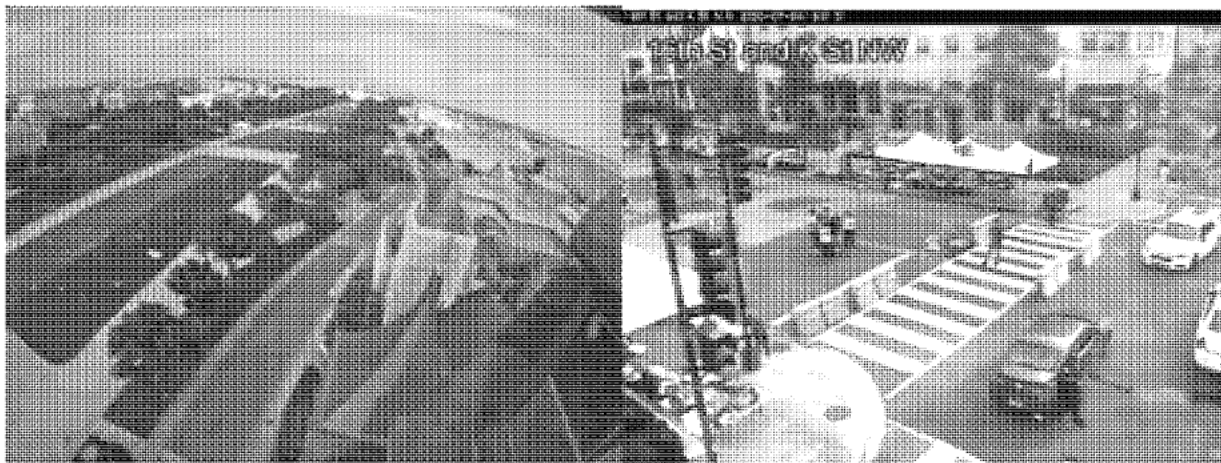
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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the

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protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.

- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all 18 SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USBP SOG, were able to deter the protesters from advancing further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

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- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*

- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a [REDACTED] and [REDACTED] during the arrest. The subjects were handed over to the U.S. Marshals.

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- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.
- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.
- Photo of suspected IED

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**(b)(7)(E)**

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The ~~(b)(7)(E)~~ SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed USBP SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in

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front of the courthouse completing the boarding of windows broken by last night's violent protests.

- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS
- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force

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(QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvass the federal park area in an attempt to confirm the identity of the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy (b)(7)(E) mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area,

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but what apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.

- Subject's name is [REDACTED] (b)(6), (b)(7)(C)  
 DOB [REDACTED] (b)(6), (b)(7)(C)  
 Subject is currently in the custody of the U.S. Marshals Service.  
 FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
 Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate [REDACTED] (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed [REDACTED] mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

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- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the [REDACTED] (b)(7)(E). Social media is showing video of an individual whom they claim was injured

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from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS

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- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide [REDACTED] agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of [REDACTED] SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, [REDACTED] (b)(6), (b)(7)(C)] and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E)] located at [REDACTED] (b)(7)(E)]. The USBP SOG team conducted an operations brief and were deployed in mobile units, to the [REDACTED] (b)(7)(E)] and to the [REDACTED] (b)(7)(E)]. Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. [REDACTED] U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the [REDACTED] (b)(7)(E)] and [REDACTED] Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the [REDACTED] (b)(7)(E)]. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video, mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

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07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings; (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209 (Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

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7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

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7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building. \*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the “Chinook Land Autonomous Territory” “CLOT”. Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schrunk Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass

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bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the

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hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.

- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

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**(b)(7)(E)**

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

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(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

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07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

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07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as [REDACTED] and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed [REDACTED] munitions to disperse the protesters from a porthole on the door. In response to the [REDACTED] munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

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\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.
- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
(b)(7)(E)
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.

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- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal/ (b)(7)(E) munitions casings, at the agents and assaulted the agents with green lasers. Less lethal/ (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schruck Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- [REDACTED] USBP HQ
- [REDACTED] OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal [REDACTED] munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers [REDACTED] [REDACTED] back towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

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(b)(7)(E) The agent is being transported to the (b)(7)(E)  
(b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be

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deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

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07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

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- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.
- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen

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throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.

- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 
- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

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**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

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07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO [redacted] flew overhead providing aerial situational awareness. AMO personnel are working on establishing [redacted]

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

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At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

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07/23/2020 at 2335 hours PST: An AMO air asset [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / [REDACTED] (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / [REDACTED] (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / [REDACTED] (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

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07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

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At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

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07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / chemical agents in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

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(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to

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the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have: [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20:** [REDACTED] **CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunck Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) agents were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

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07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] techniques in an effort to stop violent opportunist from breaching the fence.

07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / [REDACTED]

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions [REDACTED] in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.

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- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)  
(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

Office: CBP SITROOM

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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

- [REDACTED] USBP and [REDACTED] OFO SRT at [REDACTED] (b)(7)(E)
- [REDACTED] USBP and [REDACTED] OFO SRT at [REDACTED] (b)(7)(E)
- [REDACTED] OFO SRT at [REDACTED] (b)(7)(E)

07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protesters westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

#### **PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing [REDACTED] (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

#### **CBP MANPOWER 7/27/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] BPA UoF)

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- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG Support Personnel
- BLW SOD
- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO (Permanent / (b)(7)(E))

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers

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will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have [REDACTED] coverage throughout the night from 2200-0300 tonight [REDACTED]

CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- [REDACTED] CBP OFO SRT
- [REDACTED] BLW SOD
- [REDACTED] SOG Support Personnel
- [REDACTED] USBP HQ

**CBP MANPOWER 7/27/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG Support Personnel
- [REDACTED] BLW SOD
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / [REDACTED]

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness [REDACTED]

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

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07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

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07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / [ (b)(7)(E) ] were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: “Wall of Moms” are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and: (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and: (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: (b)(7)(E) coverage throughout the night from 2200-0300 tonight: (b)(7)(E)

**CBP MANPOWER 7/29/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately (b)(7)(E)  
(b)(7)(E)

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) east with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with  SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and   during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct  flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:**

**Individual Roles/Participants:**

1.  CDO
2.
3.
4.  AMCIT
5.   flight crews:
6.   mechanics:

**Type of Asset Recommended or Capabilities Requested:**   helicopters for airborne  and aviation liaison (CDO).

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the: (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST.

(b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) (b)(7)(E) Agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST: (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching (b)(7)(E)

(b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- SOG HQ (Support)

AMO has schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 08/02/20: CBP Personnel**

- SOG HQ
- SOG BTC
- SOG BST
- SOG IU
- YUM SOD
- YUM HQ
- YUM IU
- DRT SOD
- DRT IU
- SDC SOD
- OFO SRT
- OPR
- OPA
- OI
- AMO
- TUC MRT
- SDC MRT
- EPT SOD
- EPT IU

CBP Personnel are staged in a QRF posture at three locations. agents at the (b)(7)(E)  
(b)(7)(E) agents at the (b)(7)(E) building (approximately (b)(7)(E)  
(b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately  
(b)(7)(E) with a (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA

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- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations, [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/03/2020 at 1900 hours PST: OSP has designated [REDACTED] (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 [REDACTED] (b)(7)(E) officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed [REDACTED] (b)(7)(E) munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) EPT SOD

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- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents in a QRF posture at the [REDACTED] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP [REDACTED] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/05/2020 to 08/06/2020:**

At 1700 PST, August 5, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, AMO, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at several locations nearby. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

1. [REDACTED] BLW Peer Support
2. [REDACTED] CBP OIT

AMO has [REDACTED] scheduled flight for 2200 hours PST. [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/05/20: [REDACTED] CBP Personnel**

1. [REDACTED] SOG HQ
2. [REDACTED] SOG BTC
3. [REDACTED] SOG BST
4. [REDACTED] SOG IU
5. [REDACTED] DRT SOD
6. [REDACTED] DRT IU
7. [REDACTED] SDC SOD
8. [REDACTED] OFO SRT
9. [REDACTED] OPR
10. [REDACTED] OPA
11. [REDACTED] AMO
12. [REDACTED] TCA MRT
13. [REDACTED] EPT SOD
14. [REDACTED] EPT IU
15. [REDACTED] BLW
16. [REDACTED] CBP OIT

08/05/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents are able to respond from the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/05/2020 at 2052 hours PST: OSP reports three vehicles blocking the intersection of 3<sup>rd</sup> St. /Madison Street. No reported crowd size.

08/05/2020 at 2134 hours PST: Observation Post reports crowd size of approximately 30-40 protesters in front of the Justice Center.

08/05/2020 at 2147 hours PST: AMO launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

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08/05/2020 at 2237 hours PST: Observation Post reports no change in crowd size. No illicit activity to report.

08/05/2020 at 2323 hours PST: OSP reports all protesters clear of area in front of Hatfield Courthouse and Justice Center.

08/05/2020 at 2400 hours PST: AMO concludes aircraft flight.

08/05/2020 at 0143 hours PST:

1. FPS gave the stand down order
2. No additional significant incidents/injuries to report at the Federal facilities.
3. No arrests.
4. No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/06/2020 to 08/07/2020:**

At 1700 PDT (2000 EDT), August 6, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed, and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations, providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2130 hours PDT (0130 hours EDT). (b)(7)(E)

**CBP MANPOWER 08/06/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT

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- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) BLW
- (b)(7)(E) CBP OIT

08/06/2020 at 1900 hours PDT (2200 EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

08/06/2020 at 2052 hours PDT (2352 EDT): Observation Post reports 30 protesters at the Lownsdale Park area. OSP also reports three vehicles blocking traffic on 3<sup>rd</sup> Street in front of the Justice Center.

08/07/2020 at 0110 hours PDT (0410 hours EDT):

- FPS gave the stand-down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to the path forward. CBP will be on standby at a location to be determined in a QRF posture.

**CBP Portland Team Sit Rep 08/08/2020 to 08/09/2020:**

At 1700 PST, August 8, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2200 hours PST. (b)(7)(E)

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**CBP MANPOWER 08/08/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) CBP OIT

CBP Personnel are staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response). (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) capable of deploying at (b)(7)(E) notice. (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/08/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/08/2020 at 2055 hours PST: OSP reports three vehicles blocking 3<sup>rd</sup> St. /Main St. in front of the Justice Center and two vehicles blocking 3<sup>rd</sup> St. /Madison in front of the Edith Green Federal Building.

08/08/2020 at 2227 hours PST: Observation Post reports approximately 100 protesters at the Chapman/ Lowsdale Square.

08/08/2020 at 2258 hours PST: Observation Post reports vehicles blocking 3<sup>rd</sup> St. have cleared the area.

08/08/2020 at 2330 hours PST: Observation Post reports no protesters in front of the Hatfield Courthouse.

08/09/2020 at 0050 hours PST: Observation Post reports no protesters in front of the Hatfield Courthouse.

08/09/2020 at 0130 hours PST: Observation Post reports a crowd of approximately 40 in front of the Hatfield Courthouse.

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08/09/2020 at 0207 hours PST:

- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/07/2020 to 08/08/2020:**

At 1700 PDT (2000 EDT), August 7, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2200 hours PDT (0100 hours EDT), (b)(7)(E)

**CBP MANPOWER 08/07/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

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- (b)(7)(E) CBP OIT

08/07/2020 at 1900 hours PDT (2200 hours EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their (b)(7)(E) locations capable of deploying at (b)(7)(E) notice. (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/07/2020 at 1905 hours PDT (2205 hours EDT): Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse.

08/07/2020 at 2210 hours PDT (0110 hours EDT): AMO launches (b)(7)(E) helicopter to assist with over watch operations.

08/07/2020 at 2252 hours PDT (0152 hours EDT): OSP reports two mortar fireworks thrown inside the fence surrounding the Hatfield Courthouse. Observation Post reports fireworks launched from 3<sup>rd</sup> St./ Salmon St. area. No injuries reported at this time.

08/07/2020 at 2254 hours PDT (0154 hours EDT): OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/08/2020 at 0210 hours PDT (0510 hours EDT):

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/09/2020 to 08/10/2020:**

At 1700 PST, August 9, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

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Newly arrived personnel in Portland AOR:

- [REDACTED] OFO SRT replace departing [REDACTED] OFO SRT.

AMO has [REDACTED] scheduled flight projected at 2130 hours PST. [REDACTED] (b)(7)(E)

CBP Personnel returned all issued [REDACTED] (b)(7)(E) to OIT Personnel.

**CBP MANPOWER 08/09/20:** [REDACTED] **CBP Personnel**

- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] AMO
- [REDACTED] TCA MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU
- [REDACTED] CBP OIT

CBP Personnel are staged in a QRF posture. [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents will remain in a QRF posture at their respective [REDACTED] (b)(7)(E) ([REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/09/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/09/2020 at 2055 hours PST: OSP reports approximately 15 protesters with five vehicles blocking Madison St. /Main St. in front of the Justice Center.

08/09/2020 at 2356 hours PST: AMO returns to base and concludes flight for the evening.

08/10/2020 at 0010 hours PST: OSP reports no crowd activity in front of Hatfield Courthouse or the Justice Center.

08/10/2020 at 0135 hours PST:

- FPS gave the stand down order

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- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/10/2020 to 08/11/2020:**

At 1700 PST, August 10, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OFO SRT replace departing (b)(7)(E) OFO SRT.

AMO has no scheduled flights.

**CBP MANPOWER 08/10/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture. (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response), and (b)(7)(E) agents will remain in a QRF posture at their respective (b)(7)(E) (located (b)(7)(E) with a (b)(7)(E) response).

08/10/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/10/2020 at 2250 hours PST: Observation post reports two vehicles blocking traffic at 3<sup>rd</sup> St. / Main St. Approximately 20 individuals loitering near Chapman Square and Lownsdale Square. No protest reported.

08/11/2020 at 0122 hours PST: Observation Post reports two individuals cross the Hatfield Courthouse fence onto federal property.

08/11/2020 at 0123 hours PST: Observation Post reports the two individuals exiting federal property.

08/11/2020 at 0205 hours PST:

- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/11/2020 to 08/12/2020:**

At 1700 PST, August 11, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) DTM SOD (Operational evening of 08/12)

AMO has no scheduled flights.

**CBP MANPOWER 08/11/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT

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- [REDACTED] EPT SOD
- [REDACTED] EPT IU

08/11/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents will remain in a QRF posture at their respective [REDACTED] (b)(7)(E) located [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/11/2020 at 2147 hours PST: Observation Post reports 25-30 protesters in front of the Justice Center.

08/11/2020 at 2149 hours PST: Observation Post reports two vehicles blocking traffic at 3<sup>rd</sup> St. / Madison Ave.

08/12/2020 at 0055 hours PST:

- No crowd reported
- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/12/2020 to 08/13/2020:**

At 1700 PST, August 12, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has no scheduled flights.

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**CBP MANPOWER 08/12/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) DTM SOD

08/12/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) located (b)(7)(E) with a (b)(7)(E) response.

08/12/2020 at 1710 hours PST: CBP Personnel deployed to assist ERO in Bend, Oregon. ERO requesting assistance at (b)(7)(E)

(b)(7)(E)

Command Post has redirected approximately (b)(7)(E) agents/officers to assist ERO with (b)(7)(E) (b)(7)(E)

All QRF elements currently travelling to Bend, OR. Mission Commander (b)(6), (b)(7)(C) has made communication with Bend Police Department Commander (b)(6), (b)(7)(C) to for updates on the situation. Bend Police Department is only monitoring the situation. Deschutes County Sheriff's Office and Oregon State Police are not involved.

08/12/2020 at 2004 hours PST: Estimated crowd size of 250 protester reported in Bend, Oregon.

08/12/2020 at 2023 hours PST: (b)(7)(E)

(b)(7)(E)

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08/12/2020 at 2025 hours PST: [REDACTED] HSI SRT from Portland, Oregon is enroute to Bend, Oregon.

08/12/2020 at 2030 hours PST: ERO reports [REDACTED] personnel trapped. [REDACTED] (b)(7)(E)

**(b)(7)(E)**

08/12/2020 at 2036 hours PST: [REDACTED] (b)(7)(E)

08/12/2020 at 2057 hours PST: [REDACTED] (b)(7)(E)

[REDACTED] (b)(6), (b)(7)(C)

08/12/2020 at 2120 hours PST: [REDACTED] (b)(7)(E)

**(b)(7)(E)**

08/12/2020 at 2135 hours PST: [REDACTED] (b)(7)(E) team reports protestors have attempted to breach the bus through the rear. Currently no protestors have made entry into the bus.

08/12/2020 at 2140 hours PST: [REDACTED] (b)(7)(E) reports social media asking protestors to block the entrance to general area on Southwest Colorado Ave. / Southwest Industrial Way.

08/12/2020 at 2146 hours PST: Central Oregon Redmond Peace Keepers, right wing militia group, reported at the protest sight.

08/12/2020 at 2209 hours PST: All CBP Personnel arrived at ORP. Protesters are actively barricading streets and blocking access to the buses.

08/12/2020 at 2212 hours PST: [REDACTED] (b)(7)(E)

**(b)(7)(E)**

08/12/2020 at 2233 hours PST: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/12/2020 at 2239 hours PST: [REDACTED] (b)(7)(E)

08/12/2020 at 2243 hours PST: [REDACTED] (b)(7)(E)

08/12/2020 at 2244 hours PST: MRT is making announcements to protestors not to interfere with law enforcement.

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08/12/2020 at 2253 hours PST: Final warnings given.

08/12/2020 at 2257 hours PST: [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

08/12/2020 at 2300 hours PST: Protesters are throwing objects and actively impeding law enforcement. Agents are currently trying to extract all personnel from the buses.

08/12/2020 at 2310 hours PST: Mission Commander reports to Command Post all personnel extracted from buses. [REDACTED] (b)(7)(E)

08/12/2020 at 2313 hours PST: Mission Commander reports all [REDACTED] personnel from the buses and involved law enforcement safe and secure from the scene. No munitions deployed. All personnel clear of the area.

08/12/2020 at 2324 hours PST: **\*\*Correction\*\*** Less Lethal Munitions were deployed. [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/12/2020 at 2333 hours PST: Mission Commander reports to Command Post less lethal munitions were deployed. [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/12/2020 at 2338 hours PST: Mission Commander reports subjects in custody will be transported to the [REDACTED] (b)(7)(E) at [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

08/13/2020 at 0030 hours PST: SOG, SOD, HSI SRT recovered both buses [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

08/13/2020 at 0101 hours PST: Mission Commander reports that all CBP Personnel deployed to Bend, Oregon is returning to Portland AOR. No issues to report.

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**CBP Portland Support to FPS to Portland, OR/ Seattle, WA 08/12-08/13**

08/12/2020 at 2129 hours PST: Approximately 200 protesters are reported in front of the Justice Center. Protest remains peaceful at this moment.

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08/12/2020 at 2240 hours PST: Approximately 300 protesters are reported in front of the Justice Center. Protest remains peaceful at this moment.

08/12/2020 at 2253 hours PST: Fire reported in front of the Hatfield Courthouse. One explosion from a mortar firework reported.

08/12/2020 at 2304 hours PST: Multiple fireworks reported in front of the Hatfield Courthouse.

08/12/2020 at 2341 hours PST: OSP reports that PPB announced over loud speaker an unlawful assembly at the Justice Center. PPB deployed are dispersing the crowd.

08/12/2020 at 2357 hours PST: OSP reports multiple fireworks being thrown from the crowd at law enforcement. PPB declares a riot and continues to disperse the crowd.

08/13/2020 at 0007 hours PST: OSP deploys from Hatfield Courthouse to assist PPB with crowd dispersal. Several arrest made.

08/13/2020 at 0145 hours PST:

- No crowd reported
- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/13/2020 to 08/14/2020:**

At 1700 PST, August 13, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). As of this morning, Oregon State Police are no longer assisting FPS with response to illicit activity on federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG IU

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AMO has no scheduled flights.

**CBP MANPOWER 08/13/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) DTM SOD

08/13/2020 at 1900 hours PST: (b)(7)(E) Federal Protective Services (FPS) responsive teams and (b)(7)(E) Special Operations Group U.S. Marshals assigned to the (b)(7)(E) FPS/ SOG USMS is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) located (b)(7)(E) with a (b)(7)(E) response.

08/13/2020 at 2136 hours PST: Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse. Protest is peaceful at this time.

08/13/2020 at 2350 hours PST: Observation Post reports no protesters in front of the Hatfield Courthouse.

08/14/2020 at 0020 hours PST: FPS reports that PPB is demobilizing for the evening.

08/14/2020 at 0138 hours PST:

- No crowd reported
- FPS gave the stand down order
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

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**CBP Portland Team Sit Rep 08/14/2020 to 08/15/2020:**

At 1700 PST, August 14, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). As of this morning, Oregon State Police are no longer assisting FPS with response to illicit activity on federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG IU
- (b)(7)(E) OPR

AMO has no scheduled flights.

**CBP MANPOWER 08/14/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) DTM SOD

08/14/2020 at 1900 hours PST: (b)(7)(E) Federal Protective Services (FPS) responsive teams and (b)(7)(E) Special Operations Group U.S. Marshals assigned to the (b)(7)(E) FPS/ SOG USMS is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at the (b)(7)(E)

08/14/2020 at 2044 hours PST: Observation Post reports no protest activity in front of Hatfield Courthouse at this time.

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08/14/2020 at 2230 hours PST: Observation Post reports 30-40 protesters in front of the Justice Center.

08/15/2020 at 0112 hours PST:

- No crowd reported.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/15/2020 to 08/16/2020:**

At 1700 PST, August 15, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). As of this morning, Oregon State Police are no longer assisting FPS with response to illicit activity on federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OFO SRT

AMO has no scheduled flights.

**CBP MANPOWER 08/15/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD

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- [REDACTED] EPT IU
- [REDACTED] DTM SOD

08/15/2020 at 1900 hours PST: [REDACTED] Federal Protective Services (FPS) responsive teams and [REDACTED] Special Operations Group U.S. Marshals assigned to the [REDACTED] (b)(7)(E) FPS/ SOG USMS is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents/Officers are in a QRF posture at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

08/15/2020 at 2115 hours PST: Observation Post reports no protest activity in front of Hatfield Courthouse at this time.

08/15/2020 at 2350 hours PST: Observation Post reports no crowd in front of Hatfield Courthouse.

08/16/2020 at 0040 hours PST: Observation Post report no crowd in front of Hatfield Courthouse.

08/16/2020 at 0115 hours PST:

- No crowd reported.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/16/2020 to 08/17/2020:**

At 1700 PST, August 16, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). As of this morning, Oregon State Police (OSP) are no longer assisting FPS with response to illicit activity on Federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] OFO SRT

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AMO has no scheduled flights.

**CBP MANPOWER 08/16/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) DTM SOD

CBP Personnel are staged in a QRF posture. (b)(7)(E) CBP personnel are located at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response), (b)(7)(E) CBP personnel are in a QRF posture at the (b)(7)(E) and (b)(7)(E) CBP personnel are located at their respective (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/16/2020 at 1900 hours PST: (b)(7)(E) FPS responsive teams and (b)(7)(E) SOG U.S. Marshals are assigned to the (b)(7)(E) FPS/ SOG USMS is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/16/2020 at 2003 hours PST: Observation Post reports approximately 100 protesters in front of Hatfield Courthouse at this time.

08/16/2020 at 2010 hours PST: Observation Post reports two vehicles blocking 3<sup>rd</sup> St. / Main St.

08/16/2020 at 2038 hours PST: Observation Post reports vehicles blocking 3<sup>rd</sup> Street have departed.

08/16/2020 at 2040 hours PST: Observation Post reports approximately 250 protesters in front of Hatfield Courthouse.

08/16/2020 at 2221 hours PST: Observation Post reports approximately 100 protesters in front of the Hatfield Courthouse.

08/16/2020 at 2253 hours PST: Observation Post reports approximately 75 protesters in the rear of the Justice Center / Sally Port Area.

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08/17/2020 at 0126 hours PST:

- No crowd reported.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/17/2020 to 08/18/2020:**

At 1700 PST, August 17, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E) Oregon State Police are no longer assisting FPS with response to illicit activity on Federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT MRT

AMO has no scheduled flights.

**CBP MANPOWER 08/17/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG IU
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) DTM SOD

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08/17/20 at 2100 hours PST: Less than 20 dispersed people in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza). No significant activity to report at this time.

08/18/20 at 0150 hours PST:

- No crowd reported.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/18/2020 to 08/19/2020:**

At 1700 PST, August 18, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E) Oregon State Police are no longer assisting FPS with response to illicit activity on Federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 08/18/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST

08/18/20 at 2059 hours PST: One subject jumped over the perimeter fence at the Hatfield Courthouse and checked the front doors. An FPS Officer approached the doors resulting in the subject exiting the perimeter by jumping back over onto 2<sup>nd</sup> Avenue. FPS did not deploy any (b)(7)(E) munitions. There are

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no crowd/protesters in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza) at this time.

08/19/20 at 0200 PST:

- No crowd was present in the downtown area.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/19/2020 to 08/20/2020:**

At 1700 PST, August 19, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E) Oregon State Police are no longer assisting FPS with response to illicit activity on federal property. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

El Centro Special Operations Detachment Team arrived (b)(7)(E) PAX).

**CBP MANPOWER 08/19/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST

08/18/20 at 2100 hours PST: A direct action march gathered at the Elizabeth Caruthers Park located at 3508 S. Moody Avenue, Portland, OR. The group is protesting "NO COPS, NO PRISONS, TOTAL ABOLITION". The crowd began to march from the park toward the ICE Facility located at 4310 S.

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Macadam Avenue, Portland, OR. Crowd size is approximately 200 protesters. QRF teams are standing by at (b)(7)(E) to support FPS if necessary.

08/18/20 at 2133 hours PST: Crowd arrived at the ICE Facility. Violent opportunists are pulling on the front doors of the facility in an attempt to breach the doors. FPS team located at the (b)(7)(E) gave several announcements.

08/18/20 at 2139 hours PST: Violent opportunists are throwing hard objects at the windows and spray painting the building and its windows.

08/18/20 at 2153 hours PST: Violent opportunists broke the guard shack window of the ICE Facility. The roll up door controls are located inside the guard shack allowing the violent opportunists to exploit the controls to their advantage.

08/18/20 at 2158 hours PST: In order to protect the building, FPS deployed and dispersed the crowd away from the property and during the dispersal officers were struck with hard objects and were assaulted with green lasers.

08/18/20 at 2226 hours PST: Portland Police Bureau has taken control of the protest. FPS Team is heading back to the (b)(7)(E) At no time did CBP personnel deploy to assist.

08/19/20 at 2252 hours PST: PPB declared a riot after numerous assaults to officers and began to push violent opportunists away from the ICE Facility. FPS Team has returned to the (b)(7)(E) CBP Personnel maintained a QRF posture.

08/19/20 at 2252 hours PST: PPB has dispersed the crowd near the vicinity of the Elizabeth Caruthers Park. At this time, the violent opportunists are burning mattresses and other objects. PPB will continue to monitor and respond if the situation escalates.

08/19/20 at 2343 hours PST: Approximately 300 violent opportunists are back at the ICE Facility. The violent opportunists are breaking windows at the ICE Facility.

08/19/20 at 2353 hours PST: PPB made multiple announcements to disperse. The FPS Team assigned to the (b)(7)(E) began to disperse the crowd. FPS Officers are assaulted by hard objects and lasers.

08/20/20 at 0002 hours PST: PPB has taken over of the protest and will continue to disperse the crowd. PPB is being assaulted with hard objects, commercial grade fireworks and large rocks. FPS Team has returned to the (b)(7)(E) CBP Personnel maintained QRF posture. No activity has been reported at the Hatfield Courthouse and the Edith Green Federal Building.

08/20/20 at 0104 hours PST: Approximately 50 violent opportunists have returned to the ICE Facility.

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08/20/20 at 0150 hours PST: Two people remain outside the ICE Facility.

08/20/20 at 0200 hours PST:

- No crowd was present in the downtown area.
- CBP Personnel did not deploy at any time.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/20/2020 to 08/21/2020:**

At 1700 PST, August 20, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 08/20/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

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08/20/20 at 2239 hours PST: FPS officers assigned to the (b)(7)(E) reported approximately 20 protesters in front of the facility. Currently, no one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schruck Plaza). No significant activity to report at this time.

08/20/20 at 2253 hours PST: FPS reports approximately 20 protesters arrived at the ICE Facility via transport van. The crowd size is estimated at 75 protesters.

08/20/20 at 2306 hours PST: Protesters have begun to spray paint security cameras. FPS gave multiple announcements to disperse via loud speaker. Additional protesters with shields have arrived at the ICE Facility. Protesters in front of the facility are attempting to breach the glass doors.

08/20/20 at 2320 hours PST: After multiple announcements to disperse, FPS Officers assigned to the (b)(7)(E) (b)(7)(E) deployed to disperse the crowd away from the facility. FPS Officers were assaulted with hard objects and commercial grade fireworks.

08/20/20 at 2330 hours PST: FPS Officers have returned to the (b)(7)(E) and will hold on the property line to prevent further damage to the facility. CBP Personnel did not deploy.

08/21/20 at 0001 hours PST: Crowd size is reported at approximately 30 protesters.

08/21/20 at 0018 hours PST: Protesters were shaking the vehicle gate at the ICE Facility. FPS gave announcements to disperse. FPS assigned to the (b)(7)(E) deployed to disperse the crowd. CBP Personnel did not deploy.

08/21/20 at 0021 hours PST: Portland Police Bureau (PPB) has arrived on scene and declared the protest an unlawful assembly. PPB has taken over the protest and will continue to disperse the crowd.

08/21/20 at 0050 hours PST: FPS Officers assigned to the (b)(7)(E) have returned to the facility.

08/21/20 at 0112 hours PST: PPB continues to disperse the crowd.

08/21/20 at 0133 hours PST: Crowd has dispersed.

08/21/20 at 0200 hours PST:

- No one gathered in the downtown area.
- CBP Personnel did not deploy at any time.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final update.

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**CBP Portland Team Sit Rep 08/21/2020 to 08/22/2020:**

At 1700 PST, August 21, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 08/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

08/21/20 at 2237 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza) or the ICE Facility at this time.

08/21/20 at 2347 hours PST:

- No one gathered in the downtown area or the ICE Facility.
- CBP Personnel did not deploy at any time.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020:**

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At 1200 PST, August 22, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

On today's date, "Mother of All Back the Blue Rallies" and "Americans against Marxism" scheduled and are conducting rallies at the Justice Center and Terry Schunk Plaza (TSP). Counter protesters "ANTIFA" and "BLM" are also at the Justice Center and TSP. These opposing groups are physically engaging each other.

**CBP MANPOWER 08/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

08/22/20 at 1130 hours PST: FPS officers staged at the (b)(7)(E). CBP personnel held a QRF posture at (b)(7)(E) (b)(7)(E).

08/22/20 at 1320 hours PST: Protesters (Back the Blue)/counter protesters (Black Lives Matter) physically engaging each other/physical fighting on Third and Madison in front of the Portland Justice Center.

08/22/20 at 1426 hours PST: Portland Police Bureau (PPB) reported to the EOC a gunshot in vicinity of the downtown area. (b)(7)(E). No FPS or CBP personnel heard the shot. No injuries reported. Rocks were being thrown during this time.

08/22/20 at 1435 hours PST: Protesters/counter protesters begin to move toward the TSP.

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08/22/20 at 1445 hours PST: FPS coordinated with PPB and multiple unlawful assembly announcements were given at the TSP.

08/22/20 at 1453 hours PST: Hard objects were thrown at the FPS officers staged at the (b)(7)(E)

08/22/20 at 1455 hours PST: FPS began to clear the (b)(7)(E) CBP personnel did not deploy and maintained a QRF posture at (b)(7)(E)

08/22/20 at 1515 hours PST: FPS officers have returned to the (b)(7)(E)

08/22/20 at 2300 hours PST:

- No one gathered in the downtown area after the initial update.
- No one gathered at the ICE Facility.
- CBP Personnel did not deploy at any time.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/23/2020 to 08/24/2020:**

At 1700 PST, August 23, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, , ERO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 08/23/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) OFO SRT
- OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) ELC BTC

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- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

08/23/20 at 2217 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza) or the ICE Facility. No significant activity to report at this time.

08/24/20 at 0018 hours PST:

- FPS gave the stand down order.
- No one gathered in the downtown area.
- No one gathered at the ICE Facility.
- CBP Personnel did not deploy at any time.
- All QRF Personnel ordered stand down.
- Any protests that occurred in the Portland did not have Federal Nexus.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/24/2020 to 08/25/2020:**

At 1700 PST, August 24, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, , ERO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 08/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

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08/24/20 at 2238 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza) or the ICE Facility at this time. Any protester activity in the Portland area has no federal nexus.

08/25/20 at 0031 hours PST:

- FPS gave the stand down order.
- No one gathered in the downtown area.
- No one gathered at the ICE Facility.
- CBP Personnel did not deploy at any time.
- All QRF Personnel ordered stand down.
- Any protests that occurred in the Portland area did not have federal nexus.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/25/2020 to 08/26/2020:**

At 1700 PST, August 25, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 08/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

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08/25/20 at 2115 hours PST: FPS reports protesters are meeting at Shemanski Park to march to the Justice Center. The crowd size is approximately 100-150 protesters. The park is located approximately 5 street blocks to the west of the Hatfield Courthouse.

08/25/20 at 2142 hours PST: FPS reports the crowd is approximately 150 and are currently at the City Hall Building on 4<sup>th</sup> and Madison across from the Terry Schunk Plaza.

08/25/20 at 2150 hours PST: Portland Police Bureau (PPB) declared the gathering an unlawful assembly and began to disperse the crowd. No FPS or CBP personnel deployed.

08/25/20 at 2258 hours PST: Protesters are staged at 4<sup>th</sup> and Main and surrounding area.

08/25/20 at 2321 hours PST: PPB has deployed once again and declared the gathering a riot. Crowd dispersed. No FPS or CBP deployment.

08/26/20 at 0154 hours PST:

- FPS gave the stand down order.
- No one gathered at the ICE Facility.
- CBP Personnel did not deploy at any time.
- All QRF Personnel ordered stand down.
- Any protests that occurred in the Portland area did not have federal nexus.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/26/2020 to 08/27/2020:**

At 1700 PST, August 26, 2020, USBP SOG, SOD, MRT, OFO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

On today's date, U.S. Marshal SOG assigned to the (b)(7)(E) was redirected to Kenosha, WI. No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

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USBP San Diego Sector Special Operations Detachment personnel have arrived at Portland, OR.

**CBP MANPOWER 08/26/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

08/26/20 at 1955 hours PST: FPS reports that the “Abolish ICE Group” is gathering at Elizabeth Caruthers Park. The group is scheduled to march from the park to the ICE Facility located at 4310 S. Macadam Avenue, Portland, OR. 97239.

08/26/20 at 2127 hours PST: FPS reports approximately 75-100 protesters at the park.

08/26/20 at 2207 hours PST: Protesters arrived at the ICE Facility. Crowd size is approximately 200 protesters. Security cameras at the facility were shot with paintball guns by the protesters. FPS and HSI SRT teams assigned to the (b)(7)(E) have deployed. CBP personnel have not deployed at this time.

08/26/20 at 2220 hours PST: FPS requested CBP personnel assigned to the (b)(7)(E) to conduct an exterior sweep of the building due to a report received in reference to a subject attempting to disable the building security cameras.

08/26/20 at 2235 hours PST: Sweep complete and all CBP Personnel have returned to the (b)(7)(E) (b)(7)(E) Negative contact with anyone attempting to disable the Edith Green security cameras.

08/26/20 at 2245 hours PST: After several announcements to disperse from the FPS team assigned to the (b)(7)(E) FPS and HSI SRT personnel began to conduct a push of the crowd away from the facility. One protester launched a large rock injuring a FPS Officer. The injured FPS Officer was taken back to the (b)(7)(E) Protesters utilized green lasers to assault officers.

08/26/20 at 2259 hours PST: Portland Police Bureau (PPB) arrived on scene, made several announcements and declared the gathering an unlawful assembly. PPB has taken over the protest.

08/26/20 at 2328 hours PST: All FPS and HSI SRT personnel are back at the (b)(7)(E) No CBP personnel deployed to assist at the ICE Facility.

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08/26/20 at 2337 hours PST: A group of approximately 100 protesters are heading back to the ICE Facility. FPS personnel assigned to the facility deployed and will hold the property line at the facility.

08/27/20 at 0113 hours PST:

- Crowd dispersed, all FPS personnel is back inside the (b)(7)(E)
- FPS gave the stand down order.
- No one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).
- CBP Personnel did not deploy to the ICE Facility.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/27/2020 to 08/28/2020:**

At 1700 PST, August 27, 2020, USBP SOG, SOD, MRT, OFO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

Special Operations Group Intelligence Unit personnel (b)(7)(E) arrived at Portland, OR.

**CBP MANPOWER 08/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) SDC BST
- (b)(7)(E) SDC SIU (b)(7)(E)
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT

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- [REDACTED] ELC BTC
- [REDACTED] ELC BST
- [REDACTED] ELC SIU (b)(7)(E)

08/27/20 at 2020 hours PST: FPS reports approximately 300 protestors have blocked northbound traffic on 2<sup>nd</sup> Street and SW Madison and are gathered at the Justice Center. No activity at the federal buildings (Hatfield Courthouse, Edith Green and ICE Facility).

08/27/20 at 2051 hours PST: Protest group is southbound on 5th Street. Approximately 5 blocks away from the Terry Shrunken Plaza. No activity at the federal buildings (Hatfield Courthouse, Edith Green and ICE Facility).

08/28/20 at 0001 hours PST:

- FPS gave the stand down order.
- No one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunken Plaza).
- No one gathered at the ICE Facility.
- No CBP personnel deployed at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/28/2020 to 08/29/2020:**

At 1700 PST, August 28, 2020, USBP SOG, SOD, MRT, OFO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the [REDACTED] (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 08/28/20: [REDACTED] CBP Personnel**

- [REDACTED] SOG BTC
- [REDACTED] SOG BST

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Updated: September 3, 2020

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- [REDACTED] SDC BTC
- [REDACTED] SDC BST
- [REDACTED] SDC SIU/ (b)(7)(E)
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] EPT MRT
- [REDACTED] SDC MRT
- [REDACTED] ELC BTC
- [REDACTED] ELC BST
- [REDACTED] ELC SIU/ (b)(7)(E)
- [REDACTED] SOG [REDACTED]

08/28/20 at 2300 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza) or the ICE Facility. No significant activity to report at this time.

08/29/20 at 0002 hours PST:

- FPS gave the stand down order.
- No one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).
- No one gathered at the ICE Facility.
- No CBP personnel deployed at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/29/2020 to 08/30/2020:**

At 1700 PST, August 29, 2020, USBP SOG, SOD, MRT, OFO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the [REDACTED] (b)(7)(E) but will respond to emerging situations as deemed necessary.

Office: CBP SITROOM  
Updated: September 3, 2020

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**Federal, State, And Local Requests For Assistance**

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**CBP MANPOWER 08/29/20:** [REDACTED] **CBP Personnel**

- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SDC BTC
- [REDACTED] SDC BST
- [REDACTED] SDC SIU/ (b)(7)(E)
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] EPT MRT
- [REDACTED] SDC MRT
- [REDACTED] ELC BTC
- [REDACTED] ELC BST
- [REDACTED] ELC SIU/ (b)(7)(E)
- [REDACTED] SOG IU

08/29/20 at 1725 hours PST: PPB reporting approximately 2.3k pro Trump people in 700 vehicles are expected to caravan from Clackamas, OR to downtown Portland. No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza) or the ICE Facility. No significant activity to report at this time.

08/29/20 at 2044 hours PST: PPB reports a white male adult, member of the Trump rally, was shot and killed at 3<sup>rd</sup> and Alden Ave, approximately 4 blocks north of Hatfield Courthouse. Suspect still at large.

08/29/20 at 2230 hours PST: Approximately 200-300 protesters in front of Hatfield Courthouse.

08/30/20 at 0141 hours PST:

- Crowd has mostly dispersed in front of Hatfield
- FPS gave the stand down order.
- CBP Personnel did not deploy to the ICE Facility.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/30/2020 to 08/31/2020:**

At 1700 PST, August 30, 2020, USBP SOD, OFO SRT, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the [REDACTED]

Office: CBP SITROOM

Updated: September 3, 2020



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(b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 08/30/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC BTC
- (b)(7)(E) SDC BST
- (b)(7)(E) SDC SIU (b)(7)(E)
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR

08/30/20 at 2045 hours PST: Portland Police Bureau reporting approximately 100 protesters at Laurelhurst Park, planning on marching to S/East Precinct tonight. No one is gathered in Chapman Square and Terry Schrunk Plaza or the ICE Facility.

08/30/20 at 2055 hours PST: (b)(7)(E)

**(b)(7)(E)**

08/31/20 at 0002 hours PST:

- FPS gave the stand down order.
- No one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).
- No one gathered at the ICE Facility.
- No CBP personnel deployed at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 08/31/2020 to 09/01/2020:**

Office: CBP SITROOM  
Updated: September 3, 2020

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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At 1700 PST, August 31, 2020, USBP SOD, HSI SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 08/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC BTC
- (b)(7)(E) SDC BST
- (b)(7)(E) SDC SIU (b)(7)(E)
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR

08/31/20 2100 hours PST: no gatherings present in or around the Hatfield Courthouse area.

09/01/20 at 0100 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza) or the ICE Facility. No significant activity to report.

Final update.

**CBP Portland Team Sit Rep 09/01/2020 to 09/02/2020:**

At 1700 PST, September 1, 2020, USBP SOD, HSI SRT, ERO SRT, and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 08/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC BTC

Office: CBP SITROOM

Updated: September 3, 2020

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

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- [REDACTED] SDC BST
- [REDACTED] SDC SIU [REDACTED]

09/01/2020 at 2234 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza) or the ICE Facility. No significant activity to report at this time.

09/02/20 at 0001 hours PST:

- FPS gave the stand down order.
- No one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).
- No one gathered at the ICE Facility.
- No CBP personnel deployed at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

**CBP Portland Team Sit Rep 09/02/2020 to 09/03/2020:**

At 1700 PST, September 2, 2020, USBP SOD, HSI SRT, ERO SRT, and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the [REDACTED] and [REDACTED]. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

No FPS or CBP personnel will be assigned to the [REDACTED] but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 09/2/20: [REDACTED] CBP Personnel**

1. [REDACTED] SDC BTC
2. [REDACTED] SDC BST
3. [REDACTED] SDC SIU/[REDACTED]

09/02/2020 at 2030 hours PST: No one is gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza) or the ICE Facility. No significant activity to report at this time.

09/03/20 at 00010 hours PST:

Office: CBP SITROOM

Updated: September 3, 2020

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- FPS gave the stand down order.
- No one gathered at the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza).
- No one gathered at the ICE Facility.
- No CBP personnel deployed at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

Final update.

Message

From:	SITROOM:	(b)(7)(E)
		(b)(7)(E)
Sent:	7/28/2020 2:06:32 PM	
To:	MORGAN, MARK A	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	PEREZ, ROBERT E
	(b)(6), (b)(7)(C)	FERRARA, WILLIAM
	(b)(6), (b)(7)(C)	JACKSTA, LINDA L
	(b)(6), (b)(7)(C)	SCOTT, RODNEY S
	(b)(6), (b)(7)(C)	ORTIZ, RAUL L
	(b)(6), (b)(7)(C)	PORVAZNIK,
	ANTHONY J	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	Owen, Todd C (EAC
	OFO:	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	FORET, VERNON T
	(b)(6), (b)(7)(C)	YOUNG, EDWARD E
	(b)(6), (b)(7)(C)	BOYER, STEPHEN A
	(b)(6), (b)(7)(C)	MICHELINI, DENNIS J
	(b)(6), (b)(7)(C)	COLLINS, JAMES L.
<h1>(b)(6), (b)(7)(C)</h1>		
	(b)(6), (b)(7)(C)	SEGUIN, DEBBIE W
	(b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)	CBP SITROOM- SWOS
	(b)(7)(E)	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	WATCH CBP INTEL
	(b)(7)(E)	SCUDDER, KATHLEEN
	(b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)	FPS IMC

(b)(6), (b)(7)(C)	CUSTER, CORY J
(b)(6), (b)(7)(C)	HAYES, STEPHEN L
<b>(b)(6), (b)(7)(C)</b>	
(b)(6), (b)(7)(C)	(OCC)
<b>(b)(6), (b)(7)(C)</b>	
(b)(6), (b)(7)(C)	NOC.SWO.Restricted
(b)(7)(E)	(b)(6), (b)(7)(C)
<b>(b)(6), (b)(7)(C)</b>	
(b)(6), (b)(7)(C)	'NOC.NDD'
(b)(7)(E)	(b)(6), (b)(7)(C)
<b>(b)(6), (b)(7)(C)</b>	
(b)(6), (b)(7)(C)	'NOC.NDD'
(b)(7)(E)	AMOC WATCH
(b)(7)(E)	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	(b)(7)(E)

CC: SITROOM: (b)(7)(E)

Subject: 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)

Attachments: 28Jul2020 1000 4th of July Support\_.docx

Good Morning:

Please see the attached 1000 hours report for 07/28/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** Approximately 300-400 demonstrators gathered in the downtown area. Demonstrators started fires within the perimeter of the Hatfield Courthouse, threw a single Molotov Cocktail, and shot commercial grade fireworks at the building. Several times throughout the night CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with hard objects, eggs, commercial grade fireworks, and glass bottles.

No serious injuries reported.

Arrests: 2 total arrests. CBP accounted for 1 arrest for 18 USC 111 Assault on a Federal Officer (1 CBP)

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents (b)(6), (b)(7)(C)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR

- [REDACTED] CBP OTD
- [REDACTED] EPT CIT
- [REDACTED] ELC CIT
- [REDACTED] AMO
- [REDACTED] TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsedale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness [REDACTED] [REDACTED]

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions [REDACTED] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions [REDACTED] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions [REDACTED] were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / [REDACTED] were utilized.



07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
    - Eggs.
    - Glass bottles.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 arrest.
    - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Leaf blower

All CBP personnel have been released.

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** Approximately 300-400 demonstrators gathered in the downtown area. Demonstrators started fires within the perimeter of the Hatfield Courthouse, threw a single Molotov Cocktail, and shot commercial grade fireworks at the building. Several times throughout the night CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with hard objects, eggs, commercial grade fireworks, and glass bottles.

No serious injuries reported.

Arrests: 2 total arrests. CBP accounted for 1 arrest for 18 USC 111 Assault on a Federal Officer (1 CBP)

AMO plans to have [redacted (b)(7)(E)] throughout the night from 2200-0300 tonight. [redacted (b)(7)(E)]

**CBP MANPOWER 7/27/20: [redacted (b)(7)(E)] CBP Personnel**

- [redacted (b)(7)(E)] YUM/SOD [redacted (b)(7)(E)] BORTAC [redacted (b)(7)(E)] BORSTAR, [redacted (b)(7)(E)] Agents, [redacted (b)(7)(E)]
- [redacted (b)(7)(E)] SOG (Command and Control)
- [redacted (b)(7)(E)] SOG BTC
- [redacted (b)(7)(E)] SOG BST
- [redacted (b)(7)(E)] SOG Support Personnel
- [redacted (b)(7)(E)] EPT BTC
- [redacted (b)(7)(E)] BLW SOD
- [redacted (b)(7)(E)] SOG [redacted (b)(7)(E)]
- [redacted (b)(7)(E)] USBP HQ
- [redacted (b)(7)(E)] CBP OPA
- [redacted (b)(7)(E)] OFO SRT
- [redacted (b)(7)(E)] CBP OPR
- [redacted (b)(7)(E)] CBP OTD
- [redacted (b)(7)(E)] EPT CIT
- [redacted (b)(7)(E)] ELC CIT
- [redacted (b)(7)(E)] AMO
- [redacted (b)(7)(E)] TCA MRT

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs

## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile filed force situations. The additional CBPOs: (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC				
YUM				
TCA				
EPT				
BBT				
DRT				
LRT				
RGV				
MIP				
BLW				
SPW				
HVM				
GFN				
DTM				
BUN				
SWB				
HLT				
USBPHQ				
Total				
		San Diego		
		Tucson		
		El Paso		
		Laredo		
		Houston		
		New Orleans		
		Miami/Tampa		
		Pre-Clearance (DC)		
		Atlanta		
		San Francisco		
		Seattle		
		Chicago		
		Detroit		
		Baltimore		
		Buffalo		
		New York		
		Boston		
		San Juan		
		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs

## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within [ ] hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

#### CURRENT STATUS

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy (b)(7)(E) agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain (b)(7)(E) agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- Portland, OR (b)(7)(E) PAX: USBP SOG is providing (b)(7)(E) agents from El Paso, TX to support FPS in Portland, OR. Active
- Washington, DC (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- Seattle, WA (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE, USBP is providing (b)(7)(E) agents from the Blaine Sector (BLW) and (b)(7)(E) agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- Standby SOG RDT (b)(7)(E) PAX: USBP SOG will maintain (b)(7)(E) agents on standby in El Paso, TX, able to deploy to any location within the United States within (b)(7)(E) hours of notification via AMO (b)(7)(E) flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- Secondary Standby Team (b)(7)(E): LESC has identified (b)(7)(E) agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide (b)(7)(E) officers to assist DOI if requested. Blaine Sector has an additional (b)(7)(E) agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

Office: CBP SITROOM- Senior Watch Officer

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**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the Pioneer (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

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1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E).
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.
    3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support **off** of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
    4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
  2. **ICE:**
    1. ICE has a standby Rapid Deployment Team of (b)(7)(E) on a (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
    2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
  3. **USCG**
    1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- **Detroit, MI:** AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

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**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

0005

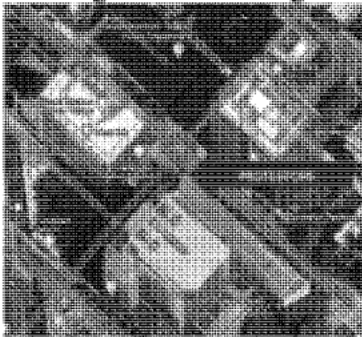
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity

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- U.S. District Courthouse
  - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



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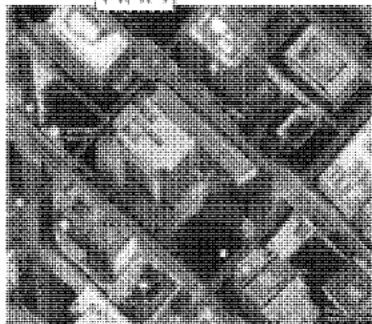
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- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff



- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400

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- (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift
  - (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
  - (b)(7)(E) Seattle (b)(7)(E) pax
  - (b)(7)(E) Seattle (b)(7)(E) pax
    - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
    - (b)(7)(E) ICE ERO SRT located here as well
  - (b)(7)(E) (b)(7)(E) pax / Command post
    - PAIC
  - At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
  - No other activity reported
  - Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
  - CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E).
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E) (b)(7)(E).
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

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**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - ~~(b)(7)(E)~~ OFO SRT officers were staged at the ~~(b)(7)(E)~~ to provide support to FPS if requested
  - Throughout the shift, an OFO ~~(b)(7)(E)~~
  - OFO SRT ~~(b)(7)(E)~~ and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery

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- On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland
  - (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
  - (b)(7)(E) mbr USBP Strategic RDT from El Paso
    - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
    - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
  - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
  - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

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0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104
  - 47°36'27.468 122° 19' 57.936
  - (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468 122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856 122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E), estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse

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- No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

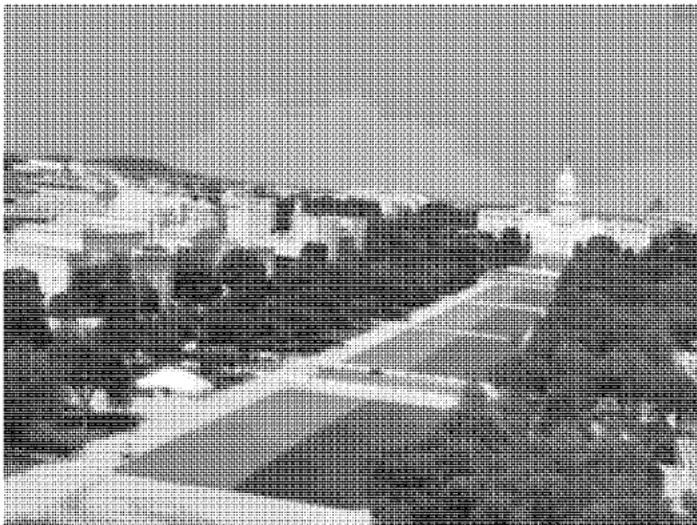
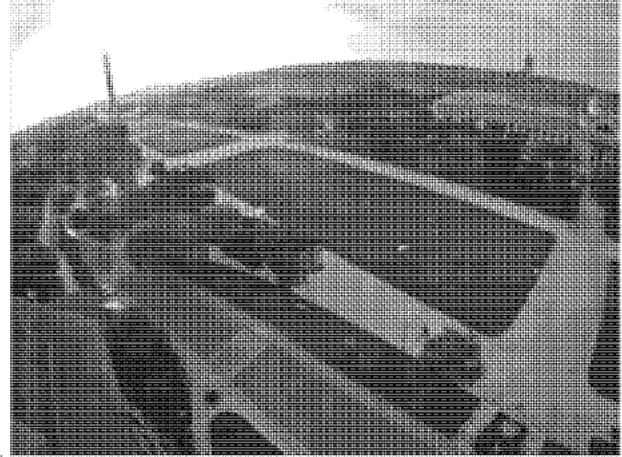
## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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14th Street and Pennsylvania Ave. N.W.

10/20/2019 10:00:00 AM



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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [REDACTED] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately [REDACTED] Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

**CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all [REDACTED] SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT)

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personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.
- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a [REDACTED] and [REDACTED] during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with [REDACTED] and [REDACTED] munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with [REDACTED] and [REDACTED] munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.

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- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.
- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.
  
- Photo of suspected IED

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**(b)(7)(E)**

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- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.

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- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS
- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity of the subject. During this sweep, the recon team positively

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identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy [redacted] mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.

- Subject's name is [redacted] **(b)(6), (b)(7)(C)**  
DOB [redacted] **(b)(6), (b)(7)(C)**  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate [redacted] **(b)(6), (b)(7)(C)** was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed [redacted] mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

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07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

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07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were

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injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) Courthouse. (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video, mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

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07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) Building. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209 (Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

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7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force

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(QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schrunk Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

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07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard

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objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.

- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT)

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personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the

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structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings; (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

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07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lowndale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law

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Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

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07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.
- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
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- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they: (b)(7)(E)  
(b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E) munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.

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- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

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07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) agents to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

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07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: [REDACTED] (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** [REDACTED] (b)(7)(E) **CBP Personnel**

- [REDACTED] (b)(7)(E) SDC/SOD [REDACTED] (b)(7)(E) BORTAC [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] (b)(7)(E) SOG (Command and Control)
- [REDACTED] (b)(7)(E) SOG [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E) USBP HQ
- [REDACTED] (b)(7)(E) CBP OPA
- [REDACTED] (b)(7)(E) OFO SRT

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**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

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07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.
- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.

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- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 
- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.

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- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)

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- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

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07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw “Molotov Cocktails” and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another “Molotov Cocktails” (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO: (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: (b)(7)(E) CBP Personnel**

- 25 SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents

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- ~~(b)(7)(E)~~ SOG (Command and Control)
- ~~(b)(7)(E)~~ SOG ~~(b)(7)(E)~~
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset ~~(b)(7)(E)~~  
~~(b)(7)(E)~~

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

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07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) agents were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

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- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E) (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

#### **CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

#### **CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal [REDACTED] (b)(7)(E) agents were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is [REDACTED] (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / [REDACTED] (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

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07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also

deployed to disperse the violent crowd.

07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Six FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

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07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20:** ~~(b)(7)(E)~~ **CBP Personnel**

- ~~(b)(7)(E)~~ SDC/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents, ~~(b)(7)(E)~~ BPA UoF)
- ~~(b)(7)(E)~~ YUM/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- ~~(b)(7)(E)~~ SOG (Command and Control)
- ~~(b)(7)(E)~~ SOG ~~(b)(7)(E)~~
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ CBP OTD
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

**CBP MANPOWER 7/25/20:** ~~(b)(7)(E)~~ **CBP Personnel**

- ~~(b)(7)(E)~~ USBP/BLW
- ~~(b)(7)(E)~~ OFO SRT
  - ~~(b)(7)(E)~~ Laredo SRT
  - ~~(b)(7)(E)~~ Los Angeles SRT
  - ~~(b)(7)(E)~~ San Francisco SRT
  - ~~(b)(7)(E)~~ Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

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07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/25/2020 at 2155 hours PST: The AMO air asset (b)(7)(E)

(b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal (b)(7)(E) agents were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires

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in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response

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to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- [REDACTED] USBP and [REDACTED] OFO SRT at [REDACTED] (b)(7)(E)
- [REDACTED] USBP and [REDACTED] OFO SRT at [REDACTED] (b)(7)(E)
- [REDACTED] OFO SRT at [REDACTED] (b)(7)(E)

07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protesters westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

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07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing [REDACTED] (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG Support Personnel
- [REDACTED] BLW SOD
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / [REDACTED] (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight (b)(7)(E)

CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- [REDACTED] SOG Support Personnel
- [REDACTED] BLW SOD
- [REDACTED] SOG (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness [REDACTED] (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [REDACTED] (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [REDACTED] (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

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07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large “Molotov Cocktail” over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject’s sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.

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- Arrests: CBP accounted for 1 of the 9 arrests.
  - 1 - 41 CFR 102-74.385 Failure to Comply
  - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Bottles of urine
  - Spike strips
  - Pump sprayers with unknown liquid
  - Commercial grade fireworks
  - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing: (b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 28, 2020, 1000hrs



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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / [ (b)(7)(E) ] were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

Message

From:	SITROOM;	(b)(7)(E)
		(b)(7)(E)
Sent:	8/7/2020 12:15:54 PM	
To:	NOC.SWO.Restricted;	(b)(7)(E)
		(b)(7)(E)
CC:	MORGAN, MARK A;	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	PEREZ, ROBERT E
	<b>(b)(6), (b)(7)(C)</b>	FERRARA, WILLIAM
		JACKSTA, LINDA L
	(b)(6), (b)(7)(C)	SCOTT, RODNEY S
	<b>(b)(6), (b)(7)(C)</b>	ORTIZ, RAUL L
	<b>(b)(6), (b)(7)(C)</b>	PORVAZNIK,
	ANTHONY J;	(b)(6), (b)(7)(C)
	(b)(6), (b)(7)(C)	Owen, Todd C (EAC
	OFO;	(b)(6), (b)(7)(C)
	<b>(b)(6), (b)(7)(C)</b>	FORET, VERNON T
	<b>(b)(6), (b)(7)(C)</b>	YOUNG, EDWARD E
	<b>(b)(6), (b)(7)(C)</b>	BOYER, STEPHEN A
	<b>(b)(6), (b)(7)(C)</b>	MICHELINI, DENNIS J
	<b>(b)(6), (b)(7)(C)</b>	COLLINS, JAMES L.
	<b>(b)(6), (b)(7)(C)</b>	
	(b)(6), (b)(7)(C)	SEGUIN, DEBBIE W
	(b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)	CBP SITROOM- SWOS
	(b)(6), (b)(7)(C), (b)(7)(E)	
	(b)(6), (b)(7)(C)	WATCH CBP INTEL
	(b)(7)(E)	SCUDDER, KATHLEEN
	<b>(b)(6), (b)(7)(C)</b>	

(b)(6), (b)(7)(C)

FPS IMC

(b)(7)(E)

CUSTER, CORY J

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(OCC)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

'NOC.NDD'

**(b)(6), (b)(7)(C), (b)(7)(E)**

**(b)(6), (b)(7)(C), (b)(7)(E)**

CBP HQ EOC EOC

AMOC WATCH

(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C), (b)(7)(E)

LEOD-OPS-CELL

(b)(6), (b)(7)(C), (b)(7)(E)

Ops ACC Distro

**(b)(6), (b)(7)(C), (b)(7)(E)**

<b>(b)(6), (b)(7)(C)</b>		HEITKE, AARON M
<b>(b)(6), (b)(7)(C)</b>		
<b>(b)(6), (b)(7)(C)</b>		OPS SPECIAL
OPERATIONS	<b>(b)(7)(E)</b>	
<b>(b)(7)(E)</b>		SOG EOC
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		
<b>(b)(6), (b)(7)(C)</b>		SABATINO, DIANE J
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		SITROOM

**Subject:** CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
**Attachments:** 07Aug2020 4th of July Support .docx

Good morning,

Please see the attached 1000 hours report for CBP Law Enforcement Support to Portland, Oregon. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon, for the 35th night of law enforcement support. AMO provided aerial surveillance with one scheduled flight. 30 peaceful demonstrators were reported at the Lowndale Park area. There were no significant incidents that required CBP LEOs response.

No employee injuries reported. No less-lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 36<sup>th</sup> night of law enforcement support.*

**CBP Portland Team Sit Rep 08/06/2020 to 08/07/2020:**

At 1700 PDT (2000 EDT), August 6, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed, and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations, providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2130 hours PDT (0130 hours EDT). (b)(7)(E)

**CBP MANPOWER 08/06/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) BLW
- (b)(7)(E) CBP OIT

08/06/2020 at 1900 hours PDT (2200 EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

08/06/2020 at 2052 hours PDT (2352 EDT): Observation Post reports 30 protesters at the Lownsdale Park area. OSP also reports three vehicles blocking traffic on 3<sup>rd</sup> Street in front of the Justice Center.

08/07/2020 at 0110 hours PDT (0410 hours EDT):

- FPS gave the stand-down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to the path forward. CBP will be on standby at a location to be determined in a QRF posture.

**U.S. Customs and Border Protection  
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**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon, for the 35th night of law enforcement support. AMO provided (b)(7)(E) scheduled flight. 30 peaceful demonstrators were reported at the Lowndale Park area. There were no significant incidents that required CBP LEOs response.

No employee injuries reported. No less-lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 36<sup>th</sup> night of law enforcement support.*

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs



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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** (b)(7)(E) **agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** (b)(7)(E) **agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (b)(7)(E) **PAX**): USBP SOG is providing (b)(7)(E) agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (b)(7)(E) **PAX**): OFO SRT is providing (b)(7)(E) SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (b)(7)(E) **PAX**): OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE , USBP is providing (b)(7)(E) agents from the Blaine Sector (BLW) and (b)(7)(E) agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (b)(7)(E) **PAX**): USBP SOG will maintain (b)(7)(E) agents on standby in El Paso, TX, able to deploy to any location within the United States within (b)(7)(E) hours of notification via AMO (b)(7)(E) flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** (b)(7)(E): LESC has identified (b)(7)(E) agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide (b)(7)(E) officers to assist DOI if requested. Blaine Sector has an additional (b)(7)(E) agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Settle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all [REDACTED] CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the [REDACTED] [REDACTED] in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the [REDACTED] [REDACTED] and the second team will be in the [REDACTED] [REDACTED] SUAS will provide [REDACTED] [REDACTED] from the [REDACTED] [REDACTED] in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the [REDACTED] [REDACTED] on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] [REDACTED] and [REDACTED] [REDACTED] with [REDACTED] [REDACTED] capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED]
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [redacted] on a [redacted] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. **USCG**
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [redacted] BLW SOD/MFF and [redacted] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [redacted] (b)(7)(E)

[redacted] (b)(7)(E) and the [redacted] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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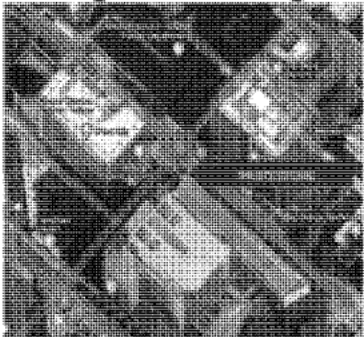
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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Updated: August 06, 2020, 1000hrs

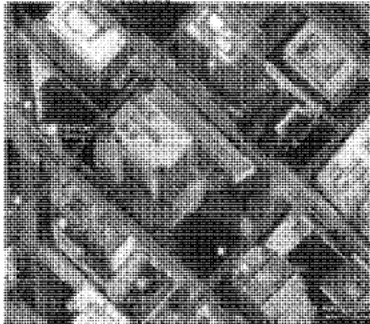
**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
(b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
(b)(7)(E)
  - OFO SRT received (b)(7)(E)  
(b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.

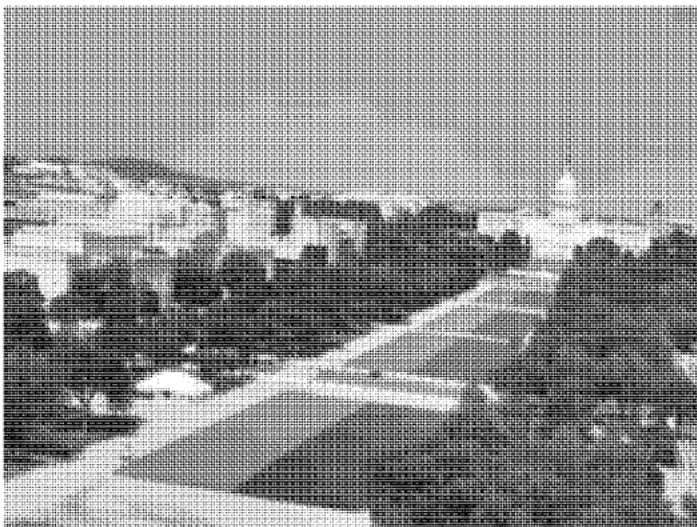


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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

#### TIMELINE OF EVENTS:

##### CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

**CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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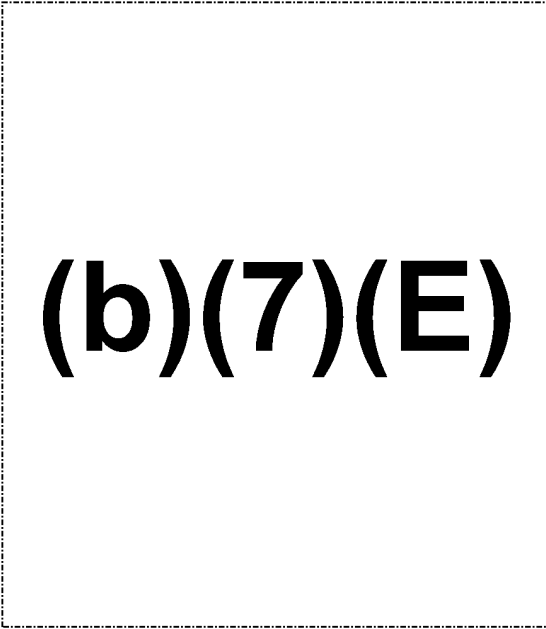
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). [REDACTED] Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
(b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) agents to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject: (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: ~~(b)(7)(E)~~ CBP Personnel**

- ~~(b)(7)(E)~~ SDC/SOD ~~(b)(7)(E)~~ BORTAC ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- SOG (Command and Control)
- SOG Intel
- USBP HQ
- CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset (b)(7)(E)  
(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group [REDACTED] PAX: Command and Control for CBP operations
- USBP HQ [REDACTED] PAX: Liaison coordination
- OFO/SRT [REDACTED] PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] PAX: [REDACTED] CBP YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) [REDACTED] and [REDACTED] (b)(7)(E) [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset (b)(7)(E)  
 (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

#### **CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### **CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- SOG Intel
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD ( (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD ( (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing: (b)(7)(E)  
(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E).

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

**Arrest:**

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**Newly arrived personnel:**

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: [REDACTED] coverage throughout the night from 2200-0300 tonight [REDACTED]

**CBP MANPOWER 7/29/20:** [REDACTED] **CBP Personnel**

- [REDACTED] USBP
- [REDACTED] OFO SRT
- [REDACTED] CBP
- [REDACTED] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED]  
[REDACTED]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/[REDACTED] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/[REDACTED] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
 (b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lownsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) building approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

#### \*USBP upcoming support San Diego Sector 8/1/2020\*

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with (b)(7)(E) SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

#### AMO Aerial Support in Portland, OR

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and (b)(7)(E) (b)(7)(E) during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct (b)(7)(E) flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:** (b)(7)(E)

#### **Individual Roles/Participants:**

1.  CDO
2.  (b)(7)(E)
3.  (b)(7)(E)
4.  AMCIT
5.  (b)(7)(E) flight crews:
6.  (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:**  (b)(7)(E) helicopters for airborne (b)(7)(E) and aviation liaison (CDO).

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the: (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. (b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) Agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST: (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching (b)(7)(E)

(b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] SOG HQ (Support)

AMO has [REDACTED] schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

**CBP MANPOWER 08/02/20: [REDACTED] CBP Personnel**

- [REDACTED] SOG HQ
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] YUM SOD
- [REDACTED] YUM HQ
- [REDACTED] YUM IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations. [REDACTED] agents at the [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) (approximately [REDACTED]  
[REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] (b)(7)(E) CBP personnel at the [REDACTED] (b)(7)(E) (approximately  
[REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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Updated: August 06, 2020, 1000hrs

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA

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- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture at three locations, (b)(7)(E) agents at the (b)(7)(E) (b)(7)(E) agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/03/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 (b)(7)(E) officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed (b)(7)(E) munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) EPT SOD

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- [ ] EPT IU

CBP Personnel are staged in a QRF posture. [ ] CBP Personnel at the [ ] (b)(7)(E) (approximately [ ] (b)(7)(E) with a [ ] (b)(7)(E) response), and [ ] agents in a QRF posture at the [ ] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [ ] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP [ ] (b)(7)(E) monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/05/2020 to 08/06/2020:**

At 1700 PST, August 5, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, AMO, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at several locations nearby. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

1. [REDACTED] BLW Peer Support
2. [REDACTED] CBP OIT

AMO has [REDACTED] scheduled flight for 2200 hours PST. [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/05/20: [REDACTED] CBP Personnel**

1. [REDACTED] SOG HQ
2. [REDACTED] SOG BTC
3. [REDACTED] SOG BST
4. [REDACTED] SOG IU
5. [REDACTED] DRT SOD
6. [REDACTED] DRT IU
7. [REDACTED] SDC SOD
8. [REDACTED] OFO SRT
9. [REDACTED] OPR
10. [REDACTED] OPA
11. [REDACTED] AMO
12. [REDACTED] TCA MRT
13. [REDACTED] EPT SOD
14. [REDACTED] EPT IU
15. [REDACTED] BLW
16. [REDACTED] CBP OIT

08/05/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents are able to respond from the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/05/2020 at 2052 hours PST: OSP reports three vehicles blocking the intersection of 3<sup>rd</sup> St. /Madison Street. No reported crowd size.

08/05/2020 at 2134 hours PST: Observation Post reports crowd size of approximately 30-40 protesters in front of the Justice Center.

08/05/2020 at 2147 hours PST: AMO launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

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08/05/2020 at 2237 hours PST: Observation Post reports no change in crowd size. No illicit activity to report.

08/05/2020 at 2323 hours PST: OSP reports all protesters clear of area in front of Hatfield Courthouse and Justice Center.

08/05/2020 at 2400 hours PST: AMO concludes aircraft flight.

08/05/2020 at 0143 hours PST:

1. FPS gave the stand down order
2. No additional significant incidents/injuries to report at the Federal facilities.
3. No arrests.
4. No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/06/2020 to 08/07/2020:**

At 1700 PDT (2000 EDT), August 6, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E) (b)(7)(E). The courthouse will be sealed, and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations, providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2130 hours PDT (0130 hours EDT). (b)(7)(E)

**CBP MANPOWER 08/06/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) BLW
- (b)(7)(E) CBP OIT

08/06/2020 at 1900 hours PDT (2200 EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

08/06/2020 at 2052 hours PDT (2352 EDT): Observation Post reports 30 protesters at the Lownsdale Park area. OSP also reports three vehicles blocking traffic on 3<sup>rd</sup> Street in front of the Justice Center.

08/07/2020 at 0110 hours PDT (0410 hours EDT):

- FPS gave the stand-down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to the path forward. CBP will be on standby at a location to be determined in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer  
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Message

From:	SITROOM: (b)(7)(E)	(b)(7)(E)
Sent:	8/6/2020 11:52:46 AM	
To:	SITROOM: (b)(7)(E)	(b)(7)(E) NOC.SWO.Restricted
CC:	MORGAN, MARK A: (b)(6), (b)(7)(C)	(b)(6), (b)(7)(C) PEREZ, ROBERT E
	(b)(6), (b)(7)(C)	FERRARA, WILLIAM
	(b)(6), (b)(7)(C)	JACKSTA, LINDA L
	(b)(6), (b)(7)(C)	SCOTT, RODNEY S
	(b)(6), (b)(7)(C)	ORTIZ, RAUL L
	(b)(6), (b)(7)(C)	PORVAZNIK,
	ANTHONY J: (b)(6), (b)(7)(C)	Owen, Todd C (EAC
	OFO: (b)(6), (b)(7)(C)	FORET, VERNON T
	(b)(6), (b)(7)(C)	YOUNG, EDWARD E
	(b)(6), (b)(7)(C)	BOYER, STEPHEN A
	(b)(6), (b)(7)(C)	MICHELINI, DENNIS J
	(b)(6), (b)(7)(C)	COLLINS, JAMES L.
	(b)(6), (b)(7)(C)	SEGUIN, DEBBIE W
	(b)(6), (b)(7)(C)	CBP SITROOM- SWOS
	(b)(6), (b)(7)(C), (b)(7)(E)	WATCH CBP INTEL
	(b)(6), (b)(7)(C)	SCUDDER, KATHLEEN
	(b)(7)(E)	

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

FPS IMC

(b)(7)(E)

CUSTER, CORY J

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(OCC)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

'NOC.NDD'

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

CBP HQ EOC EOC

Director

(b)(7)(E)

(b)(7)(E)

AMOC WATCH

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

; LEOD-OPS-CELL

(b)(7)(E)

Ops ACC Distro

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OPS SPECIAL

OPERATIONS

(b)(7)(E)

(b)(7)(E)

SOG EOC

(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

SABATINO, DIANE J

**Subject:** RE: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)

**Attachments:** 06Aug2020 4th of July Support .docx

Good morning,

Please see the attached 1000 hours report for CBP Law Enforcement Support to Portland, Oregon. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP Law Enforcement Officers (LEOs) reported to Portland, Oregon for the 34<sup>th</sup> night of law enforcement support. (b)(7)(E) OPA and (b)(7)(E) OIT also responded. AMO provided (b)(7)(E) scheduled flight. Oregon State Police reported little activity around the courthouse, and no felonious acts requiring CBP LEOs to respond.

No employee injuries reported. No less lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 35<sup>th</sup> night of law enforcement support.*

**CBP Portland Team Sit Rep 08/05/2020 to 08/06/2020:**

At 1700 PST, August 5, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, AMO, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at several locations nearby. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

1. [REDACTED] BLW Peer Support
2. [REDACTED] CBP OIT

AMO has [REDACTED] scheduled flight for 2200 hours PST [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/05/20: [REDACTED] CBP Personnel**

1. [REDACTED] SOG HQ
2. [REDACTED] SOG BTC
3. [REDACTED] SOG BST
4. [REDACTED] SOG IU
5. [REDACTED] DRT SOD
6. [REDACTED] DRT IU
7. [REDACTED] SDC SOD
8. [REDACTED] OFO SRT
9. [REDACTED] OPR
10. [REDACTED] OPA
11. [REDACTED] AMO
12. [REDACTED] TCA MRT
13. [REDACTED] EPT SOD
14. [REDACTED] EPT IU
15. [REDACTED] BLW
16. [REDACTED] CBP OIT

08/05/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents are able to respond from the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) [REDACTED] approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents at the [REDACTED] (b)(7)(E) [REDACTED] approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] (b)(7)(E) response.

08/05/2020 at 2052 hours PST: OSP reports three vehicles blocking the intersection of 3<sup>rd</sup> St. /Madison Street. No reported crowd size.

08/05/2020 at 2134 hours PST: Observation Post reports crowd size of approximately 30-40 protesters in front of the Justice Center.

08/05/2020 at 2147 hours PST: AMO launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

08/05/2020 at 2237 hours PST: Observation Post reports no change in crowd size. No illicit activity to report.

08/05/2020 at 2323 hours PST: OSP reports all protesters clear of area in front of Hatfield Courthouse and Justice Center.

08/05/2020 at 2400 hours PST: AMO concludes aircraft flight.

08/05/2020 at 0143 hours PST:

1. FPS gave the stand down order
2. No additional significant incidents/injuries to report at the Federal facilities.
3. No arrests.
4. No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
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**BLUF:** [REDACTED] CBP Law Enforcement Officers (LEOs) reported to Portland, Oregon for the 34<sup>th</sup> night of law enforcement support. AMO provided [REDACTED] (b)(7)(E) [REDACTED] scheduled flight. Oregon State Police reported little activity around the courthouse, and no felonious acts requiring CBP LEOs to respond.

No employee injuries reported.

No less lethal deployed by CBP

No arrests made by CBP

All personnel secure.

*CBP LEOs will report to Portland tonight for the 35<sup>th</sup> night of law enforcement support.*

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs [REDACTED] (b)(7)(E) [REDACTED]

[REDACTED] (b)(7)(E) [REDACTED]

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over [REDACTED] (b)(7)(E) [REDACTED] CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
**Federal, State, And Local Requests For Assistance**

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total				Total

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ. (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200. (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

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#### CURRENT STATUS

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (b)(7)(E) PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (b)(7)(E) PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (b)(7)(E) PAX): OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE , USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (b)(7)(E) PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** (b)(7)(E): LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Settle and Portland.

#### TRAINING

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E).
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. USCG
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

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0005

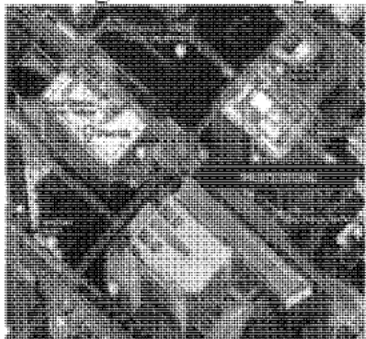
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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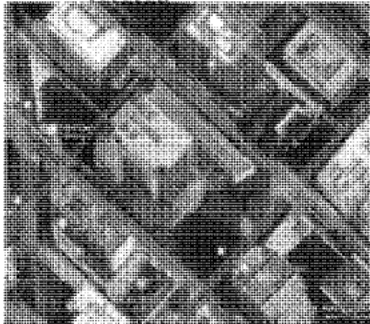
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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E).
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
 (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
 (b)(7)(E)
  - OFO SRT received (b)(7)(E)  
 (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.

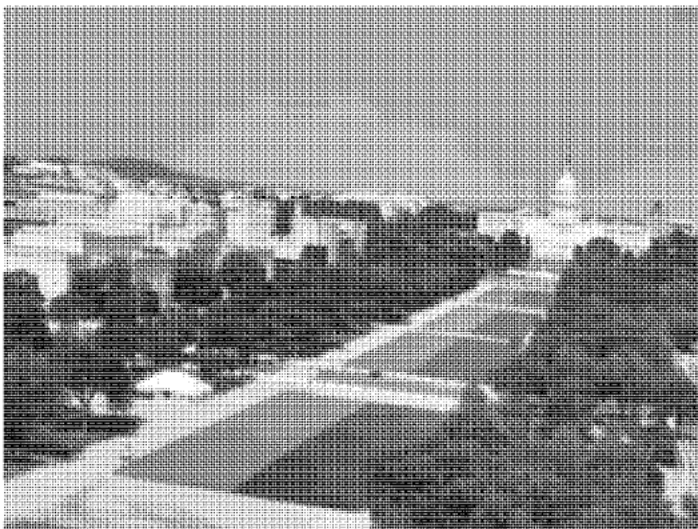


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [REDACTED] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately 30 Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

Office: CBP SITROOM- Senior Watch Officer

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E). SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). [REDACTED] Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E). SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)
- (b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
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**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO: (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

(b)(7)(E)

(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)
- (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is [REDACTED] (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / [REDACTED] (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E) no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E) The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group [REDACTED] PAX: Command and Control for CBP operations
- USBP HQ [REDACTED] PAX: Liaison coordination
- OFO/SRT [REDACTED] PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] PAX: [REDACTED] CBP YUM/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] (b)(7)(E) SDC/SOD [REDACTED] (b)(7)(E) BORTAC [REDACTED] (b)(7)(E) BORSTAR [REDACTED] (b)(7)(E) Agents [REDACTED] (b)(7)(E) BPA UoF)
- [REDACTED] (b)(7)(E) YUM/SOD [REDACTED] (b)(7)(E) BORTAC [REDACTED] (b)(7)(E) BORSTAR [REDACTED] (b)(7)(E) Agents)
- [REDACTED] (b)(7)(E) SOG (Command and Control)
- [REDACTED] (b)(7)(E) SOG Intel
- [REDACTED] (b)(7)(E) USBP HQ
- [REDACTED] (b)(7)(E) CBP OPA
- [REDACTED] (b)(7)(E) OFO SRT
- [REDACTED] (b)(7)(E) CBP OPR
- [REDACTED] (b)(7)(E) CBP OTD
- [REDACTED] (b)(7)(E) AMO [REDACTED] (b)(7)(E) Ground [REDACTED] (b)(7)(E) Air Crew [REDACTED] (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset: [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC, [REDACTED] BORSTAR, (b)(7)(E) Agents)
- Special Operations Group [REDACTED] PAX: Command and Control for CBP operations
- USBP HQ [REDACTED] PAX: Liaison coordination
- OFO/SRT [REDACTED] PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] PAX: [REDACTED] CBP YUM/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [redacted (b)(7)(E)] were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [redacted (b)(7)(E)] were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [redacted (b)(7)(E)] were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/27/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ

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- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ CBP OPA
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ OFO SRT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ CBP OPR
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ EPT CIT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ ELC CIT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ AMO
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ TCA MRT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ SOG Command
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.  
§ 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: [REDACTED] (b)(7)(E) [REDACTED] throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E) [REDACTED]

**CBP MANPOWER 7/29/20:** [REDACTED] (b)(7)(E) [REDACTED] **CBP Personnel**

- [REDACTED] (b)(7)(E) [REDACTED] USBP
- [REDACTED] (b)(7)(E) [REDACTED] OFO SRT
- [REDACTED] (b)(7)(E) [REDACTED] CBP
- [REDACTED] (b)(7)(E) [REDACTED] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lowndale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED] (b)(7)(E) [REDACTED] [REDACTED] (b)(7)(E) [REDACTED]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal [REDACTED] (b)(7)(E) [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal [REDACTED] (b)(7)(E) [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
 (b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with  SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and  (b)(7)(E)  during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct  (b)(7)(E) flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:**  (b)(7)(E)

**Individual Roles/Participants:**

1.  x CDO
2.  x  (b)(7)(E)
3.  x  (b)(7)(E)
4.  x AMCIT
5.  x  (b)(7)(E) flight crews:
6.  x  (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:**  x  (b)(7)(E) helicopters for airborne  (b)(7)(E) and aviation liaison (CDO).

Office: CBP SITROOM- Senior Watch Officer

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. (b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: [REDACTED] Agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) Agents at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with an (b)(7)(E) response time), and [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST [REDACTED] reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] SOG HQ (Support)

AMO has [REDACTED] schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

**CBP MANPOWER 08/02/20: [REDACTED] CBP Personnel**

- [REDACTED] SOG HQ
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] YUM SOD
- [REDACTED] YUM HQ
- [REDACTED] YUM IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations. [REDACTED] agents at the [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] (b)(7)(E) CBP personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA

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- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture at three locations, (b)(7)(E) agents at the (b)(7)(E) (b)(7)(E) agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/03/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 (b)(7)(E) officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed (b)(7)(E) munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) EPT SOD

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- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents in a QRF posture at the [REDACTED] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP [REDACTED] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/05/2020 to 08/06/2020:**

At 1700 PST, August 5, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, AMO, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at several locations nearby. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

1. [REDACTED] BLW Peer Support
2. [REDACTED] CBP OIT

AMO has [REDACTED] scheduled flight for 2200 hours PST. [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/05/20: [REDACTED] CBP Personnel**

1. [REDACTED] SOG HQ
2. [REDACTED] SOG BTC
3. [REDACTED] SOG BST
4. [REDACTED] SOG IU
5. [REDACTED] DRT SOD
6. [REDACTED] DRT IU
7. [REDACTED] SDC SOD
8. [REDACTED] OFO SRT
9. [REDACTED] OPR
10. [REDACTED] OPA
11. [REDACTED] AMO
12. [REDACTED] TCA MRT
13. [REDACTED] EPT SOD
14. [REDACTED] EPT IU
15. [REDACTED] BLW
16. [REDACTED] CBP OIT

08/05/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents are able to respond from the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) [REDACTED] approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] minute response. [REDACTED] Agents at the [REDACTED] (b)(7)(E) [REDACTED] approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] (b)(7)(E) [REDACTED] response.

08/05/2020 at 2052 hours PST: OSP reports three vehicles blocking the intersection of 3<sup>rd</sup> St. /Madison Street. No reported crowd size.

08/05/2020 at 2134 hours PST: Observation Post reports crowd size of approximately 30-40 protesters in front of the Justice Center.

08/05/2020 at 2147 hours PST: AMO launched [REDACTED] (b)(7)(E) [REDACTED] helicopter to provide over watch assistance. [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

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08/05/2020 at 2237 hours PST: Observation Post reports no change in crowd size. No illicit activity to report.

08/05/2020 at 2323 hours PST: OSP reports all protesters clear of area in front of Hatfield Courthouse and Justice Center.

08/05/2020 at 2400 hours PST: AMO concludes aircraft flight.

08/05/2020 at 0143 hours PST:

1. FPS gave the stand down order
2. No additional significant incidents/injuries to report at the Federal facilities.
3. No arrests.
4. No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 06, 2020, 1000hrs

Message

From: SITROOM (b)(7)(E)

Sent: 8/5/2020 10:45:36 AM (b)(7)(E)

To: AMOC WATCH (b)(7)(E)

(b)(6), (b)(7)(C), (b)(7)(E)

**(b)(6), (b)(7)(C), (b)(7)(E)**

BOYER, STEPHEN A

BP INTEL FIELD PAICs-

DPAICs (b)(7)(E)

(b)(7)(E)

BPHQG2

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

CBP HQ EOC EOC

Director (b)(7)(E)

(b)(7)(E)

CBP SITROOM- SWOS

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

COLLINS, JAMES L.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

CUSTER, CORY J

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(CTR)

(b)(6), (b)(7)(C)

FERRARA, WILLIAM

**(b)(6), (b)(7)(C)**

FORET, VERNON T

FPS IMC

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

JACKSTA, LINDA L

**(b)(6), (b)(7)(C)**

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(CTR)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

MICHELINI, DENNIS J

(b)(6), (b)(7)(C)

(CTR)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

MORGAN, MARK A

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

'NOC.NDD'

**(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)**

**(b)(6), (b)(7)(C)**

ORTIZ, RAUL L

; Owen, Todd C (EAC

(OFO)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PEREZ, ROBERT E

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SABATINO, DIANE J

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SCOTT, RODNEY S

**(b)(6), (b)(7)(C)**

SCUDDER, KATHLEEN

; SABATINO, DIANE J

; SEGUIN, DEBBIE W

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

USBP-NTC Managers

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

WATCH CBP INTEL

(b)(7)(E)

YOUNG, EDWARD E

(b)(6), (b)(7)(C)

CC: SITROOM; (b)(7)(E)  
 (b)(7)(E)

Subject: RE: CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 04 Aug 2020  
 1000 hours

Attachments: 05Aug2020 4th of July Support .docx

Good Morning:

Please see the attached CBP Law Enforcement Support report for August 05, 2020. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 33rd night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 50 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No employee injuries reported.  
 All personnel secure.  
 No less lethal deployed by CBP  
 No arrests made by CBP  
*CBP LEOs will report to Portland tonight for the 34rd night of law enforcement support.*

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST

- [REDACTED] SOG IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents in a QRF posture at the [REDACTED] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP has [REDACTED] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

*CBP LEOs will report to Portland tonight for the 34rd night of law enforcement support.*

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Office: CBP SITROOM- Senior Watch Officer

Updated: August 05, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ	San Juan			
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: August 05, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (PAX): OFO SRT is providing SRT Officers from the Blaine POE, USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** (b)(7)(E): LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

Office: CBP SITROOM- Senior Watch Officer

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all [REDACTED] CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the [REDACTED] [REDACTED] in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the [REDACTED] and the second team will be in the [REDACTED] [REDACTED] SUAS will provide [REDACTED] from the [REDACTED] in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the [REDACTED] [REDACTED] on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] and [REDACTED] with [REDACTED] capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED].
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. USCG
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM- Senior Watch Officer

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**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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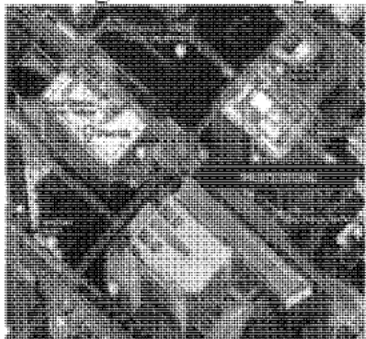
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

Office: CBP SITROOM- Senior Watch Officer

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 05, 2020, 1000hrs

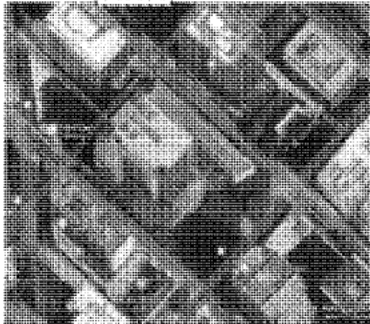
**U.S. Customs and Border Protection**  
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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
 (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
 (b)(7)(E)
  - OFO SRT received (b)(7)(E)  
 (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

Office: CBP SITROOM- Senior Watch Officer

Updated: August 05, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - (b)(7)(E) FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.

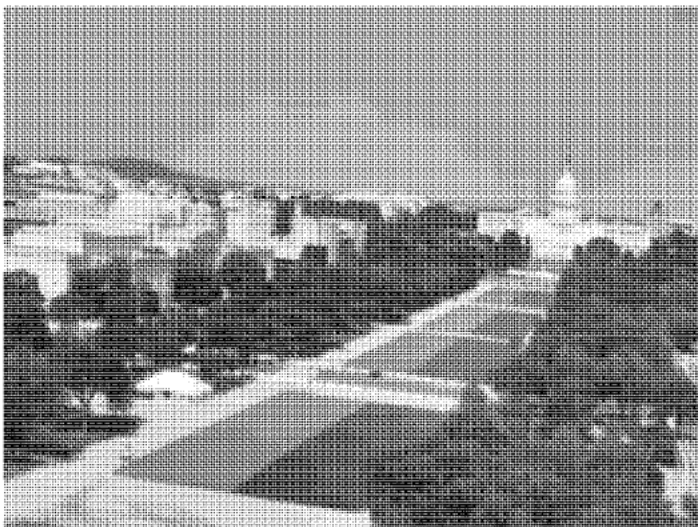
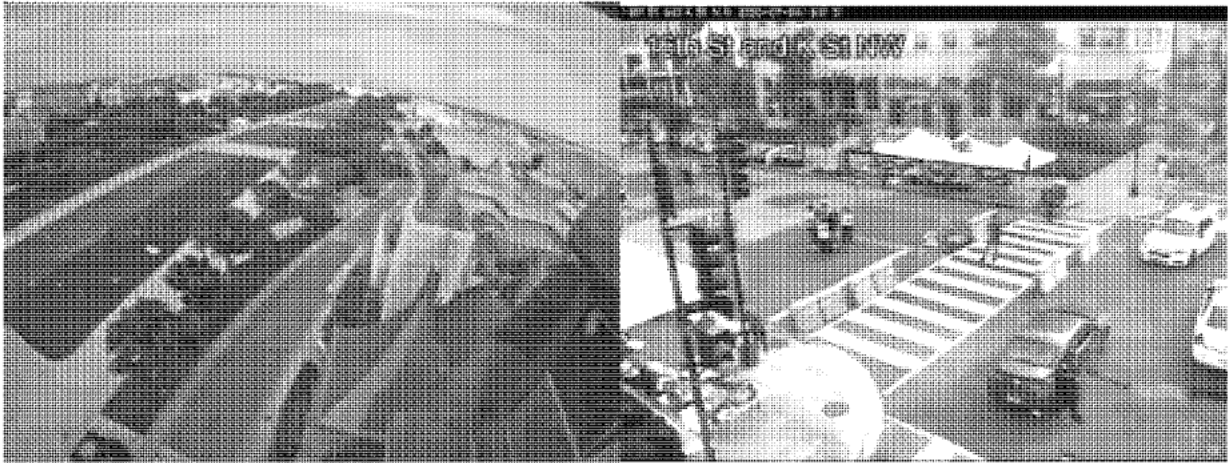


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately 30 Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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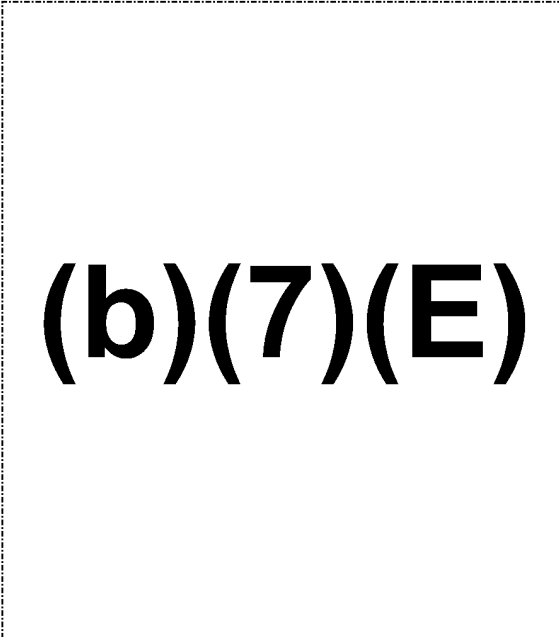
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The [REDACTED] SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed USBP SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ departed ~~(b)(7)(E)~~ in-route to ~~(b)(7)(E)~~ WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO ~~(b)(7)(E)~~ arrived at ~~(b)(7)(E)~~ WV airfield
- 07/06/20 at 1230 hours PST: AMO ~~(b)(7)(E)~~ departed ~~(b)(7)(E)~~ WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO ~~(b)(7)(E)~~ arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the ~~(b)(7)(E)~~ with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the ~~(b)(7)(E)~~ ~~(b)(7)(E)~~ for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209


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(Approximately 4 miles away from the Hatfield Courthouse).  Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
**(b)(7)(E)**
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg (b)(7)(E)

**(b)(6), (b)(7)(C)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** ~~(b)(7)(E)~~ **CBP Personnel**

- ~~(b)(7)(E)~~ SDC/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents
- ~~(b)(7)(E)~~ YUM/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents
- ~~(b)(7)(E)~~ SOG (Command and Control)
- ~~(b)(7)(E)~~ SOG Intel
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

~~(b)(7)(E)~~

~~(b)(7)(E)~~

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
 (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG Intel
- USBP HQ
- CBP OPA
- (b)(7)(E) OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20:** [REDACTED] **CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] (PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group [REDACTED] (PAX): Command and Control for CBP operations
- USBP HQ [REDACTED] (PAX): Liaison coordination
- OFO/SRT [REDACTED] (PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] (PAX): [REDACTED] CBP YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset: (b)(7)(E)  
 (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition/ (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions / (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

#### **CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### **CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / [REDACTED] (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] (PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group [REDACTED] (PAX): Command and Control for CBP operations
- USBP HQ [REDACTED] (PAX): Liaison coordination
- OFO/SRT [REDACTED] (PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] (PAX): [REDACTED] CBP YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have: [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions/ (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)  
(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- [REDACTED] TCA MRT arrived.

AMO plans to have [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/27/20: [REDACTED] (b)(7)(E) CBP Personnel**

- [REDACTED] YUM/SOD [REDACTED] (b)(7)(E) BORTAC, [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] (b)(7)(E)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG Support Personnel
- [REDACTED] EPT BTC
- [REDACTED] BLW SOD
- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] EPT CIT
- [REDACTED] ELC CIT
- [REDACTED] AMO
- [REDACTED] (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness [REDACTED] (b)(7)(E).

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/[ (b)(7)(E) ] were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / [ (b)(7)(E) ] were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ

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- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ CBP OPA
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ OFO SRT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ CBP OPR
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ EPT CIT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ ELC CIT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ AMO
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ TCA MRT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ SOG Command
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [REDACTED] (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [REDACTED] (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- [REDACTED] SOG BTC
- [REDACTED] EPT SOD
- [REDACTED] DRT SOD
- [REDACTED] SDC MRT
- [REDACTED] AMO

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AMO plans to have: [REDACTED] (b)(7)(E) [REDACTED] throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E) [REDACTED]

**CBP MANPOWER 7/29/20:** [REDACTED] (b)(7)(E) [REDACTED] **CBP Personnel**

- [REDACTED] (b)(7)(E) [REDACTED] USBP
- [REDACTED] (b)(7)(E) [REDACTED] OFO SRT
- [REDACTED] (b)(7)(E) [REDACTED] CBP
- [REDACTED] (b)(7)(E) [REDACTED] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/[REDACTED] (b)(7)(E) [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/[REDACTED] (b)(7)(E) [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowndale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) Administration building approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with (b)(7)(E) SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and (b)(7)(E) (b)(7)(E) during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct (b)(7)(E) flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:** (b)(7)(E)

**Individual Roles/Participants:**

1.  x CDO
2.  x (b)(7)(E)
3.  x (b)(7)(E)
4.  x AMCIT
5.  x (b)(7)(E) flight crews:
6.  x (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:**  x (b)(7)(E) helicopters for airborne (b)(7)(E) and aviation liaison (CDO).

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the: (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. (b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: [REDACTED] Agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) Agents at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] (b)(7)(E) CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/01/2020 at 1939 hours PST: [REDACTED] (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- SOG HQ (Support)

AMO has schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. (b)(7)(E)

(b)(7)(E)

**CBP MANPOWER 08/02/20: CBP Personnel**

- SOG HQ
- SOG BTC
- SOG BST
- SOG IU
- YUM SOD
- YUM HQ
- YUM IU
- DRT SOD
- DRT IU
- SDC SOD
- OFO SRT
- OPR
- OPA
- OI
- AMO
- TUC MRT
- SDC MRT
- EPT SOD
- EPT IU

CBP Personnel are staged in a QRF posture at three locations. agents at the (b)(7)(E)

(b)(7)(E)

agents at the (b)(7)(E)

(approximately

(b)(7)(E) with an (b)(7)(E) response time), and CBP personnel at the (b)(7)(E) (approximately

(b)(7)(E) with a (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E).

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA

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- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations, [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/03/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 [REDACTED] (b)(7)(E) officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed [REDACTED] (b)(7)(E) munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) EPT SOD

Office: CBP SITROOM- Senior Watch Officer

Updated: August 05, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- [redacted] EPT IU

CBP Personnel are staged in a QRF posture. [redacted] CBP Personnel at the [redacted] (b)(7)(E) (approximately [redacted] (b)(7)(E) with a [redacted] (b)(7)(E) response), and [redacted] agents in a QRF posture at the [redacted] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [redacted] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP [redacted] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

Message

**From:** COUREY, MARC BENNETT (OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

**Sent:** 8/28/2020 10:53:39 AM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) PEREZ, ROBERT E  
(b)(6), (b)(7)(C)

**CC:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) SCOTT, RODNEY S  
(b)(6), (b)(7)(C) ORTIZ, RAUL L  
(b)(6), (b)(7)(C) PORVAZNIK,  
ANTHONY J (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) Owen, Todd C (EAC  
OFO); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) FORET, VERNON T  
(b)(6), (b)(7)(C) FERRARA, WILLIAM  
(b)(6), (b)(7)(C) SABATINO, DIANE J  
(b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C) WILLIAMS, MARTA  
(OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) STUNTZ, SHELBY  
(OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C)  
(OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) JACKSTA, LINDA L  
(b)(6), (b)(7)(C) (OCC)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Stayed by Ninth Circuit  
**Attachments:** Index Newspapers Portland Civil Unrest Preliminary Injunction 8-20-20.pdf; PI Guidance - Index Newspapers.pdf;  
Index Newspapers - Govt Motion for Stay Pending Appeal 082520.pdf; Index Newspapers Portland Civil Unrest  
Preliminary Injunction Ninth Circuit Stay 8-27-20.pdf

Commissioner and Deputy Commissioner -- We are pleased to report an outstanding development in the Portland litigation. Last night the Ninth Circuit issued the attached order granting our motion for an administrative stay pending our request for emergency review of the *Index Newspapers* preliminary injunction. Of particular note, the Ninth Circuit panel, in this 2-1 decision, opined as follows:



(b)(6), (b)(7)(C)

\*\* Attorney Work Product / Attorney Client Privileged \*\*

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Thursday, August 20, 2020 8:33 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,

RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd

C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FERRARA,

WILLIAM (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY

(OCC) (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today

Commissioner and Deputy Commissioner -- This afternoon, Judge Simon issued the attached Preliminary Injunction against the U.S. Government, including the Department of Homeland Security. (b)(5)

(b)(5)

(b)(5)

(b)(5)

Please let us

know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC); (b)(6), (b)(7)(C)

**Sent:** Thursday, August 6, 2020 7:06 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C); ORTIZ,

RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C); Owen, Todd

C (EAC OFO); (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C)

(OCC); (b)(6), (b)(7)(C); WILLIAMS, MARTA (OCC); (b)(6), (b)(7)(C); STUNTZ, SHELBY

(OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C)

(OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); FERRARA,

WILLIAM (b)(6), (b)(7)(C); JACKSTA, LINDA L (b)(6), (b)(7)(C)

(OCC); (b)(6), (b)(7)(C)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- TRO Extended

Commissioner and Deputy Commissioner – The attached Temporary Restraining Order that was issued on July 23, 2020, against the U.S. Government, including the Department of Homeland Security, was extended by Judge Simon today for an additional 14 days. This extended TRO will expire on August 20 at 5:00pm PT. (b)(5)

(b)(5)

The Preliminary Injunction Hearing is calendared for August 18. (b)(5)

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Thursday, July 23, 2020 7:14 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C); ORTIZ,

RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C); Owen, Todd

C (EAC OFO); (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C)

(OCC); (b)(6), (b)(7)(C); WILLIAMS, MARTA (OCC); (b)(6), (b)(7)(C); STUNTZ, SHELBY

(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- TRO Likely/Imminent

Commissioner and Deputy Commissioner – The hearing for the *Index Newspapers* TRO was held earlier today in Portland

**(b)(5)**

We will keep you posted. Please let us know if you have questions or if you would like to discuss. Thanks very much.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Monday, July 20, 2020 8:27 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,

RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd

C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY

(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA,

WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- TRO Motion Filed in District of Oregon

Commissioner and Deputy Commissioner (b)(5)

(b)(5)

Please let us know if you have questions or would like to discuss. We will continue to keep you posted regarding significant developments in this litigation.



Bennett Courcy

CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney Client Privileged \*\*~~

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**INDEX NEWSPAPERS LLC d/b/a  
PORTLAND MERCURY; DOUG  
BROWN; BRIAN CONLEY; SAM  
GEHRKE; MATHIEU LEWIS-ROLLAND;  
KAT MAHONEY; SERGIO OLMOS;  
JOHN RUDOFF; ALEX MILAN TRACY;  
TUCK WOODSTOCK; JUSTIN YAU; and  
those similarly situated,**

Plaintiffs,

v.

**CITY OF PORTLAND; JOHN DOES 1-60;  
U.S. DEPARTMENT OF HOMELAND  
SECURITY; and U.S. MARSHALS  
SERVICE,**

Defendants.

Case No. 3:20-cv-1035-SI

**OPINION AND ORDER GRANTING  
PRELIMINARY INJUNCTION  
AGAINST FEDERAL DEFENDANTS**

Matthew Borden, J. Noah Hagey, Athul K. Acharya, and Gunnar K. Martz, BRAUNHAGEY & BORDEN LLP, 351 California Street, Tenth Floor, San Francisco, CA 94104; Kelly K. Simon, AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF OREGON, P.O. Box 40585, Portland, OR 97240. Of Attorneys for Plaintiffs.

Denis M. Vannier and Naomi Sheffield, Senior Deputy City Attorneys; Ryan C. Bailey, Deputy City Attorney; and Youngwoo Joh, Assistant Deputy City Attorney, OFFICE OF THE CITY ATTORNEY, 1221 SW Fourth Avenue, Room 430, Portland, OR 97204. Of Attorneys for Defendant City of Portland.

Ethan P. Davis, Acting Assistant Attorney General, Civil Division; Billy J. Williams, United States Attorney for the District of Oregon; David M. Morrell, Deputy Assistant Attorney General, Civil Division; Alexander K. Hass, Director, Federal Programs Branch; Brigham J. Bowen, Assistant Director, Federal Programs Branch; Joshua E. Gardner, Special Counsel, Federal Programs Branch; Andrew I. Warden, Senior Trial Counsel; Jeffrey A. Hall, Jordan L. Von Bokern, and Keri L. Berman, Trial Attorneys; U.S. DEPARTMENT OF JUSTICE, CIVIL DIVISION, FEDERAL PROGRAMS BRANCH, 1100 L. Street, NW, Washington, D.C. 20530. Of Attorneys for Defendants U.S. Department of Homeland Security and U.S. Marshals Service.

James L. Buchal, MURPHY & BUCHAL LLP, 3425 SE Yamhill Street, Suite 100, Portland, OR 97214. Of Attorney for *Amicus Curiae* National Police Association.

Duane A. Bosworth, DAVIS WRIGHT TREMAINE LLP, 1300 SW Fifth Avenue, Suite 2400, Portland, OR 97201; Katie Townsend, Gabe Rottman, and Adam A. Marshall, THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS, 1156 15th Street NW, Suite 1020, Washington, D.C. 20005. Of Attorneys for *Amici Curiae* Reporters Committee for Freedom of the Press and 16 News Media Organizations.

**Michael H. Simon, District Judge.**

“Open government has been a hallmark of our democracy since our nation’s founding.” *Leigh v. Salazar*, 677 F.3d 892, 897 (9th Cir. 2012). “When wrongdoing is underway, officials have great incentive to blindfold the watchful eyes of the Fourth Estate.” *Id.* at 900. “The free press is the guardian of the public interest, and the independent judiciary is the guardian of the free press.” *Id.* This lawsuit tests whether these principles are merely hollow words.

Plaintiffs Index Newspapers LLC doing business as Portland Mercury, Doug Brown, Brian Conley, Sam Gehrke, Mathieu Lewis-Rolland, Kat Mahoney, Sergio Olmos, John Rudoff, Alex Milan Tracy, Tuck Woodstock, and Justin Yau (collectively, “Plaintiffs”) bring this putative class action against: (1) the City of Portland (the “City”); (2) numerous as-of-yet unnamed individual and supervisory officers of the Portland Police Bureau (“PPB”) and other agencies allegedly working in concert with the PPB; (3) the U.S. Department of Homeland Security (“DHS”); and (4) the U.S. Marshals Service (“USMS”). The Court refers to DHS and USMS collectively as the “Federal Defendants.” Plaintiffs are journalists and authorized legal

observers. They allege violations of the First and Fourth Amendments of the United States Constitution and Article I, sections 8 and 26 of the Oregon Constitution. Plaintiffs seek declaratory and injunctive relief and money damages.

Before the Court is Plaintiffs' motion for preliminary injunction against the Federal Defendants. Plaintiffs allege that agents of the Federal Defendants from around the United States, specially deployed to Portland, Oregon to protect the federal courthouse, have repeatedly targeted and used physical force against journalists and authorized legal observers who have been documenting the daily Black Lives Matter protests in this city. These federal agents include special tactical units from U.S. Customs and Border Protection under the U.S. Department of Homeland Security ("BORTAC") and other special tactical units from the U.S. Marshals Service under the U.S. Department of Justice ("Special Operations Group" or "SOG").

Although these federal agents are highly trained in some areas of law enforcement, Plaintiffs contend that neither these agents nor their commanders have any special training or experience in civilian crowd control. Plaintiffs allege that some of these officers have intentionally targeted and used physical force and other forms of intimidation against journalists and authorized legal observers for the purpose of preventing or deterring them from observing and reporting on unreasonably aggressive treatment of lawful protesters. In response, the Federal Defendants argue that they are merely protecting the federal courthouse and its personnel from potential or actual violence and that any interference with protected First Amendment activity is merely incidental.

The Ninth Circuit has stated:

Demonstrations can be expected when the government acts in highly controversial ways, or other events occur that excite or arouse the passions of the citizenry. The more controversial the occurrence, the more likely people are to demonstrate. Some of

these demonstrations may become violent. The courts have held that the proper response to potential and actual violence is for the government to ensure an adequate police presence and to arrest those who actually engage in such conduct, rather than to suppress legitimate First Amendment conduct as a prophylactic measure.

*Collins v. Jordan*, 110 F.3d 1363, 1372 (9th Cir. 1996) (citation omitted). Here, the actions of the Federal Defendants, or at least some of their officers, prevent, deter, or otherwise chill the constitutionally protected newsgathering, documenting, and observing work of journalists and authorized legal observers, who peacefully stand or walk on city streets and sidewalks during a protest. As further explained by the Ninth Circuit in *Collins*:

It has been clearly established since time immemorial that city streets and sidewalks are public fora. Restrictions on First Amendment activities in public fora are subject to a particularly high degree of scrutiny.

*Id.* at 1371 (citations and quotation marks omitted).

The Federal Defendants also argue that Plaintiffs are seeking special protections for journalists and legal observers under the First Amendment but that journalists and legal observers are entitled to no greater rights than those afforded to the public generally. In support, the Federal Defendants cite *Branzburg v. Hayes*, 408 U.S. 665, 680-82 (1972), which held that although the First Amendment protects news gathering, it does not provide a reporter's privilege against testifying before a grand jury. In that case, the Supreme Court noted: "It has generally been held that the First Amendment does not guarantee the press a constitutional right of special access to information not available to the public generally." *Id.* at 684; *see also Cal. First Amendment Coal. v. Calderon*, 150 F.3d 976, 981 (9th Cir. 1998) (same). The Federal

Defendants argue, in essence, that Plaintiffs' requested preliminary injunction violates the traditional "nondiscrimination" interpretation of the First Amendment's Press Clause.<sup>1</sup>

At first glance, one might think that the journalists and legal observers here are seeking protection against having to comply with an otherwise lawful order to disperse from city streets after a riot has been declared, when the public generally does not have that protection. When local law enforcement lawfully declares a riot and orders people to disperse from city streets, generally they must comply or risk arrest. The question of whether journalists have any greater rights than the public generally, however, is not actually presented in the pending motion for preliminary injunction. That is because the *Federal Defendants* are not asserting that *they* have the legal authority to declare a riot and order persons to disperse from the city streets in Portland; nor does the authority they cite for their presence and actions in Portland so provide.<sup>2</sup> It is only

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<sup>1</sup> This traditional interpretation may be undergoing a reevaluation. *See, e.g.*, Sonja R. West, *Favoring the Press*, 106 CAL. L. REV. 91, 94 (2018) ("The nondiscrimination view of the Press Clause is deeply flawed for the simple reason that the press is different and has always been recognized as such."). "Barring the government from recognizing the differences between press and non-press speakers threatens to undermine the vital role of the Fourth Estate." *Id.* (footnote omitted). "It is, therefore, entirely in keeping with the text, history, and spirit of the First Amendment's Press Clause for the government to, at times, treat press speakers differently." *Id.* at 95. "Rather than lump the press together with other speakers, the Supreme Court has historically done just the opposite." *Id.*

<sup>2</sup> The Federal Defendants cite 40 U.S.C. § 1315 and its implementing regulations. That statute authorizes DHS to "protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government." § 1315(a). The governing regulations prohibit, as relevant here: (1) disorderly conduct for persons "entering in or on Federal property," 41 C.F.R. § 102-74.390; (2) persons "entering in or on Federal property" from improperly disposing of rubbish on property, willfully damaging property, creating a hazard on property, or throwing articles at a building or climbing on any part of a building, 41 C.F.R. § 102-74.380; and (3) requiring that "[p]ersons in and on property" must obey "the lawful direction of federal police officers and other authorized individuals." 41 C.F.R. § 102-74.385. This latter regulation, although not specifically stating on "federal" property, has been construed as including this requirement, that the persons be on federal property. *See United States v. Baldwin*, 745 F.3d 1027, 1029 (10th Cir. 2014) (then-Circuit Judge, now Justice Gorsuch) ("The first says '[p]ersons in and on [Federal] property must at all times comply . . . with the lawful direction of Federal police officers and other authorized individuals.'" (alterations in original) (quoting 41

state and local law enforcement that may lawfully issue an order declaring a riot or unlawful assembly on city streets. That is simply part of a state or city’s traditional police power.

Here, Plaintiffs and the City have already *stipulated* to a preliminary injunction that provides that the Portland Police will not arrest any journalist or authorized legal observer for failing to obey a lawful order to disperse. Thus, the question of whether an otherwise peaceful and law-abiding journalist or authorized legal observer has a First Amendment right not to disperse when faced with a general dispersal order issued by state or local authorities does not arise in this motion.<sup>3</sup>

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C.F.R. § 102-74.385); *see also United States v. Estrada-Iglesias*, 425 F. Supp. 3d 1265, 1270 (D. Nev. 2019). Thus, 40 U.S.C. § 1315 and its regulations give federal officers broad authority *on federal property*. They do not, however, give federal officers broad authority *off federal property*. The authority granted off federal property is limited—to perform authorized duties “outside the property to the extent necessary to protect the property and persons on the property.” § 1315(b)(1). These authorized duties include enforcing federal laws (which as relevant here are laws limited to persons on federal property), making arrests if federal crimes are committed in the presence of an officer, and conducting investigations on and off the property for crimes against the property or persons on the property. § 1315(b)(2). None of these powers include declaring a riot or an unlawful assembly on the streets of Portland, closing the streets of Portland, or otherwise dispersing people off the streets of Portland (versus dispersing people off federal property).

The Federal Defendants appear to acknowledge this limitation in their powers. DHS Operation Diligent Valor commander Gabriel Russell states in his declaration that in response to violent protests, Federal Protective Services (“FPS”) officers warned protesters to “stay off federal property,” used tear gas to “push protesters back from the [federal] courthouse,” contacted the PPB who were about to declare an unlawful assembly, the Portland Police “arrived and closed all roads in the vicinity of the facilities[,] . . . declared an unlawful assembly and began making arrests for failure to disperse,” and the FPS only “made dispersal orders on federal property and cleared persons refusing to comply with these orders.” ECF 67-1 at 2. He also testified at deposition that generally FPS does not have authority to enforce a dispersal order against an unlawful assembly on Fourth Street, one block from the federal courthouse. ECF 136-1 at 22 (63:12-18). The Federal Defendants also cite to statutes and regulations that authorize the USMS to protect federal courthouses and other federal property, including 28 U.S.C. § 566(a), 28 U.S.C. § 566(i), 28 C.F.R. § 0.111(f). As with the statutes and regulations governing DHS’s authority, these authorities focus on federal property, not on city streets or state or local property.

<sup>3</sup> Someday, a court may need to decide whether the First Amendment protects journalists and authorized legal observers, as distinct from the public generally, from having to comply with

Plaintiffs and the Federal Defendants have stipulated that an evidentiary hearing with live witness testimony is unnecessary and that the Court may base its decision on the written record and oral argument of counsel. For the reasons that follow, the Court GRANTS Plaintiffs' motion for preliminary injunction against the Federal Defendants.

### STANDARDS

A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Winter v. Nat. Res. Defense Council, Inc.*, 555 U.S. 7, 22 (2008). A plaintiff seeking a preliminary injunction generally must show that: (1) he or she is likely to succeed on the merits; (2) he or she is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in his or her favor; and (4) that an injunction is in the public interest. *Id.* at 20 (rejecting the Ninth Circuit’s earlier rule that the mere “possibility” of irreparable harm, as opposed to its likelihood, was sufficient, in some circumstances, to justify a preliminary injunction).

The Supreme Court’s decision in *Winter*, however, did not disturb the Ninth Circuit’s alternative “serious questions” test. *See All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-32 (9th Cir. 2011). Under this test, “‘serious questions going to the merits’ and a hardship balance that tips sharply toward the plaintiff can support issuance of an injunction, assuming the other two elements of the *Winter* test are also met.” *Id.* at 1132. Thus, a preliminary injunction may be granted “if there is a likelihood of irreparable injury to plaintiff; there are serious questions going to the merits; the balance of hardships tips sharply in favor of the plaintiff; and the injunction is in the public interest.” *M.R. v. Dreyfus*, 697 F.3d 706, 725 (9th Cir. 2012).

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an otherwise lawful order to disperse from city streets when journalists and legal observers seek to observe, document, and report the conduct of law enforcement personnel; but today is not that day.



## BACKGROUND

### A. Procedural History

Plaintiffs filed their original Complaint against the City on June 28, 2020. On June 30th, Plaintiffs moved for a TRO. On July 2nd, the Court entered a TRO against the City. On July 14th, Plaintiffs moved to file a Second Amended Complaint (“SAC”), adding the Federal Defendants to this lawsuit. On July 16th, the Court entered a stipulated preliminary injunction against the City. On July 17th, the Court granted Plaintiffs’ motion to file the SAC. Later that day, Plaintiffs filed their SAC and moved for a TRO against the Federal Defendants, which the City supported shortly thereafter. On July 23rd, the Court granted Plaintiffs’ motion for a TRO against the Federal Defendants, including many of the same terms contained in the TRO and stipulated preliminary injunction entered against the City. The TRO against the Federal Defendants was set to expire by its own terms on August 6th. On July 28th, Plaintiffs moved for a finding of contempt and imposition of sanctions against the Federal Defendants, alleging several violations of the Court’s TRO. On July 30th the Federal Defendants moved for reconsideration of the TRO, requesting that it be dissolved. On July 31st the Court stayed briefing on Plaintiffs’ contempt motion. On August 4th, Plaintiffs moved to extend the TRO against the Federal Defendants for an additional 14 days. On August 6th, after finding good cause, the Court granted Plaintiffs’ motion and extended the TRO against the Federal Defendants through August 20th and denied the Federal Defendants’ motion for reconsideration.

### B. Plaintiffs

Plaintiff Index Newspapers LLC doing business as Portland Mercury (“Portland Mercury”) is an alternative bi-weekly newspaper and media company. It was founded in 2000 and is based in Portland, Oregon. ECF 53, ¶ 21.

Plaintiff Doug Brown has attended many protests in Portland, first as a journalist with the *Portland Mercury* and later as a volunteer legal observer with the ACLU. He has attended the George Floyd protests on several nights, wearing a blue vest issued by the ACLU that clearly identifies him as a legal observer, for the purpose of documenting police interactions with protesters. ECF 9, ¶¶ 1-2; ECF 53, ¶¶ 22, 97; ECF 55, ¶ 2.

Plaintiff Brian Conley has been a journalist for twenty years and has trained journalists in video production across a dozen countries internationally. He founded Small World News, a documentary and media company dedicated to providing tools to journalists and citizens around the world to tell their own stories. ECF 53, ¶ 131.

Plaintiff Sam Gehrke has been a journalist for four years. He previously was on the staff of the *Willamette Week* as a contractor. He is now a freelance journalist. His work has been published in *Pitchfork*, *Rolling Stone*, *Vortex Music*, and *Eleven PDX*, a Portland music magazine. He has attended the protests in Portland for the purpose of documenting and reporting on them, and he wears a press pass from the *Willamette Week*. ECF 10, ¶¶ 1-3; ECF 53, ¶ 23.

Plaintiff Mathieu Lewis-Rolland is a freelance photographer and photojournalist who has covered the ongoing Portland protests. He has been a freelance photographer and photojournalist for three years and is a contributor to *Eleven PDX* and listed on its masthead. After the Court issued its TRO directed against the City, he began wearing a shirt that said “PRESS” in block letters on both sides. He also wears a helmet that says “PRESS” on several sides, and placed reflective tape on his camera and wrist bands. ECF 12, ¶¶ 1-2; ECF 53 ¶ 24; ECF 77, ¶ 1, 3.

Plaintiff Kat Mahoney is an independent attorney and unpaid legal observer. She has attended the Portland protests nearly every night for the purpose of documenting police

interactions with protesters. She wears a blue vest issued by the ACLU that clearly identifies her as an “ACLU LEGAL OBSERVER.” ECF 26, ¶ 3; ECF 75, ¶¶ 1-2.

Plaintiff Sergio Olmos has been a journalist since 2014, when he began covering protests in Hong Kong. He has worked for *InvestigateWest* and *Underscore Media Collaboration*, and as a freelancer. His work has been published in the *Portland Tribune*, *Willamette Week*, *Reveal: The Center for Investigative Reporting*, *Crosscut*, *The Columbian*, and *InvestigateWest*. He has attended the protests in Portland as a freelance journalist for the purpose of documenting and reporting on them. He wears a press badge and a Kevlar vest that says “PRESS” on both sides. He carries several cameras, including a film camera, in part so that it is unmistakable that he is present in a journalistic capacity as a member of the press. ECF 15, ¶¶ 1-3; ECF 53, ¶ 26.

Plaintiff John Rudoff is a photojournalist. His work has been published internationally, including reporting on the Syrian refugee crises, the “Unite the Right” events in Charlottesville, Virginia, the Paris “Yellow Vest” protests, and the Rohingya Genocide. He has attended the protests in Portland during the past two months for the purpose of documenting and reporting on them. Since this lawsuit began, he has been published in *Rolling Stone*, *The Nation*, and on the front page of the *New York Times*. While attending the Portland protests, he carries and displays around his neck press identification from the National Press Photographers Association, of which he has been a member for approximately ten years. He also wears a helmet and vest that is clearly marked “PRESS.” ECF 17, ¶¶ 1-3; ECF 53, ¶ 27; ECF 59, ¶¶ 1, 3.

Plaintiff Alex Milan Tracy is a journalist with a master’s degree in photojournalism. His photographs have been published by CNN, ABC, CBS, *People Magazine*, *Mother Jones*, and *Slate*, among others. He has covered many of the recent protests in Portland over George Floyd

and police brutality. He carries a press badge and three cameras, and wears a helmet that is marked “PRESS” on the front and back. ECF 60, ¶¶ 1, 3.

Plaintiff Tuck Woodstock has been a journalist for seven years. Their work has been published in the *Washington Post*, *NPR*, *Portland Monthly*, *Travel Portland*, and the *Portland Mercury*. They have attended the George Floyd protests several times as a freelancer for the *Portland Mercury* and more times as an independent journalist. When they attended these protests, they wear a press pass from the *Portland Mercury* that states “MEDIA” in large block letters and a helmet that is marked “PRESS” on three sides. At all times during police-ordered dispersals, they hold a media badge over their head. ECF 23, ¶¶ 2-3; ECF 76, ¶¶ 1, 3.

Plaintiff Justin Yau is a student at the University of Portland studying communications with a focus on journalism. He previously served in the U.S. Army, where he was deployed to the Middle East. He has covered protests in Hong Kong and Portland. His work has been published in the *Daily Mail*, *Reuters*, *Yahoo! News*, *The Sun*, *Spectee* (a Japanese news outlet), and *msn.com*. He has attended the protests in Portland as a freelance and independent journalist for the purpose of documenting and reporting on them. He wears a neon yellow vest marked with reflective tape and a helmet that are marked “PRESS,” and carries his press pass around his neck. He carries a large camera, a camera gimbal (a device that allows a camera to smoothly rotate), and his cellphone for recording. ECF 56, ¶¶ 1-3.

### **C. Plaintiffs’ Alleged Harm**

Plaintiffs and other declarants have provided numerous declarations describing events in which they assert that employees, agents, or officers of the Federal Defendants targeted journalists and legal observers and interfered with their ability to engage in First Amendment-protected activities. As discussed below, Plaintiffs provide many compelling examples in the record, some from before the Court entered the TRO against the Federal Defendants and some

after. The following are just several examples selected by the Court from the extensive evidence provided by Plaintiffs. There are more.

### **1. Before the TRO was Issued**

On July 15, 2020, Plaintiff Justin Yau asserts that, while carrying photojournalist gear and wearing reflective, professional-looking clothing clearly identifying him as press, he was targeted by a federal agent and had a tear gas canister shot directly at him. ECF 56, ¶¶ 3-6. Two burning fragments of the canister hit him. *Id.* ¶ 6. At the time he was fired upon, he was taking pictures with his camera and recording with his cell phone while standing 40 feet away from protesters to make it clear that he was not part of the protests. *Id.* ¶ 5. Mr. Yau notes that from his experience covering protests in Hong Kong, “Even Hong Kong police, however, were generally conscientious about differentiating between press and protesters—as opposed to police and federal agents in Portland.” *Id.* ¶ 7.

Declarant Noah Berger has been a photojournalist for more than 25 years. ECF 72, ¶ 1. He has been published nationally and internationally, including for coverage of protests in San Francisco and Oakland. *Id.* On July 19, 2020, he covered the protests on assignment for the Associated Press. He notes that the response he has seen and documented from the federal agents in Portland is markedly different from even the most explosive protests he has covered. *Id.* ¶ 3. He carries two large professional cameras and two press passes. *Id.* He states that without any warning he was shot twice by federal agents using less lethal munitions. *Id.* ¶ 4. Later, as federal agents “rushed” an area he was photographing, he held up his press pass, identified himself as press, stated he was leaving, and moved away from the area. *Id.* ¶ 7. While holding his press pass and identifying himself as press, he was hit with a baton by one federal agent. *Id.* ¶ 8. Two others joined and surrounded him, and he was hit with batons three or four times. *Id.* One agent then deployed pepper spray against Mr. Berger from about one foot away. *Id.* ¶ 9. He was given no

warning. *Id.* ¶ 11. He states that he was not demonstrating or protesting, was leaving the area, and was clearly acting as a journalist. *Id.* ¶¶ 3, 11.

Late July 19th or early July 20th, Declarant Nathan Howard, a photojournalist who has been published in *Willamette Week*, *Mother Jones*, Bloomberg Images, Reuters, and the Associated Press, was covering the Portland protests. ECF 58, ¶¶ 1, 4. He was standing by other journalists, and no protesters, as federal agents went by. *Id.* ¶ 4. The nearest protester was a block away. *Id.* Mr. Howard held up his press pass and repeatedly identified himself as press. *Id.* ¶ 5. A federal agent stated words to the effect of “okay, okay, stay where you are, don’t come closer.” *Id.* ¶ 6. Mr. Howard states that another federal agent, who was standing immediately to the left of the agent who gave Mr. Howard the “okay,” aimed directly at Mr. Howard and fired at least two pepper balls at him at close range. *Id.* ¶ 7.

Declarant Jungho Kim is a photojournalist whose work has been published in the *San Francisco Chronicle* and *CalMatters*, among others. ECF 62, ¶ 1. He wears a neon yellow vest marked “PRESS” and a white helmet marked “PRESS” in the front and rear. *Id.* ¶ 2. He has covered protests in Hong Kong and California. He has experience with staying out of the way of officers and with distinguishing himself from a protester, such as by not chanting or participating in protest activity. *Id.* ¶ 3. He had never been shot at by authorities until covering the Portland protests on July 19, 2020. *Id.* During the protest, federal agents pushed protesters away from the area where Mr. Kim was recording. He was around 30 feet away from federal agents, standing still, taking pictures, with no one around him. *Id.* ¶¶ 5-7. He asserts that suddenly and without warning, he was shot in the chest just below his heart with a less lethal munition. *Id.* ¶ 7. Because he was wearing a ballistic vest, he was uninjured. He also witnessed, and photographed, federal agents firing munitions into a group of press and legal observers. *Id.* ¶ 9.

Declarant Nate Haberman-Ducey is a law student at Lewis and Clark Law School.

ECF 61, ¶ 1. He completed training with the National Lawyers Guild (“NLG”) and attended the protests several times as a legal observer. *Id.* He states that on July 19, 2020, while wearing his green, NLG-issued authorized legal observer hat, he was shot in the hand with a paint-marking round by a federal agent, while walking his bicycle through the park across from the federal courthouse. *Id.* ¶¶ 3-4. At the time, there were no other protestors or other people around Mr. Haberman-Ducey at whom the federal agent might have been aiming. *Id.* ¶ 5. The pain from injury to Mr. Haberman-Ducey’s right hand was so severe that he had to stop observing the protests and go to the emergency room, where doctors put his broken hand in a splint. *Id.* ¶¶ 7-8. He would like to keep observing the protests but is concerned that residue from tear gas fired by the federal agents will contaminate his splint, which he has to wear for four to six weeks. *Id.* ¶ 9.

Declarant Amy Katz is a photojournalist whose work has been published in the *Wall Street Journal*, the *New York Daily News*, the *Guardian*, *TIME*, *Mother Jones*, the *Independent*, the *New York Times*, and has been featured on Good Morning America and ABC News.

ECF 117, ¶ 1. While covering the protests, she wears a hat and tank top marked with “PRESS” in bold letters and carries a camera with a telephoto lens. *Id.* ¶ 2. Early in the morning of July 21st, she was filming from the side while federal agents dispersed protestors. *Id.* ¶ 4-6. Several agents tried to disperse her, but she displayed her press pass and they left her alone. *Id.* ¶ 6. She asserts that a federal agent approached and motioned for her to disperse again a few minutes later. *Id.* ¶ 7. Ms. Katz again held up her press pass, but before she could process what was happening another agent fired pepper balls or similar munitions at her. *Id.* The first agent then dropped a tear gas grenade directly at her feet as Ms. Katz ran away, yelling that she was press. *Id.* She notes that there were no protestors the agents could have been aiming at because the protestors

had already dispersed. *Id.* ¶ 8. The effects of the tear gas forced her to stop reporting and return to her hotel. *Id.* ¶ 9. The next day her eyes and lips burned, sunlight hurt her eyes, her tongue was swollen, and she had diarrhea. *Id.*

Declarant Sarah Jeong is an attorney, a columnist for *The Verge*, and a contributing writer to the *New York Times* Opinion section. ECF 116, ¶ 1. She attended the protests solely as a journalist, wore her press badge, and wore a helmet with “PRESS” in black letters on a white background on three sides. *Id.* ¶ 4. On the night of July 21st, Ms. Jeong was covering the protests from the steps of the courthouse when federal agents emerged from the building and charged the crowd. *Id.* ¶ 5. Ms. Jeong walked slowly backward, holding her press pass up in one hand and her phone in the other. *Id.* ¶ 6. With no warning and for no apparent reason, a federal agent shoved Ms. Jeong so forcefully that both her feet left the ground. *Id.* ¶ 7. She kept reporting that night but left much earlier than she had planned. *Id.* ¶ 8. Although she plans to keep covering the protests, she is fearful for her safety. *Id.*

Declarant James Comstock is a legal observer with the NLG. ECF 63, ¶ 1. On July 19th, a few minutes before midnight, he was watching the protests from the park across the street from the protests. *Id.* ¶ 2-3. He was wearing the standard NLG-issued green hat provided to legal observers. *Id.* ¶ 2. As protestors started to push the fence, he put on his gas mask and started to move away from the courthouse because he did not want to get tear gassed. *Id.* ¶ 3. He stopped on the opposite side of 4th Avenue, about 375 feet away from the front door of the courthouse. *Id.* He went to speak to a press member standing on the intersection of SW 4th and Main. *Id.* ¶ 4. After finishing his conversation with the press member, Mr. Comstock was standing in the same location alone with his back up against the wall. *Id.* Without warning, a federal agent shot Mr. Comstock in the hand with an impact munition while he was making notes on his phone. *Id.* ¶ 5.



There were no protestors around and he was at least 6 feet from the reporter with whom he had just been speaking. *Id.* ¶ 6. Mr. Comstock states that he would like to keep attending the protests as a legal observer but that he is afraid of injury and fearful that he will be wrongfully arrested, endangering his job as a criminal defense investigator. *Id.* ¶¶ 8-9.

Early morning on July 22nd, Plaintiff Alex Milan Tracy was standing in the street and filming a group of federal officers who were standing on the sidewalk in front of the courthouse. ECF 74, *Id.* ¶ 4. Two of the officers from that group waved their batons at him and gestured for him to move back. *Id.* He retreated, and one of the officers briefly charged at him. Mr. Tracy then moved back farther into the middle of the street. *Id.* A few minutes later, he was filming the same group of federal officers from the same spot in the middle of the street. *Id.* ¶ 6. Agents from that same group raised their weapons and launched a flashbang at Mr. Tracy and another journalist, hitting them both. *Id.* ¶ 7. Mr. Tracy continued documenting the scene but finally left because the federal officers kept looking and pointing directly at him. *Id.* ¶¶ 7, 10. He was “genuinely terrified” of standing in front of the federal officers. *Id.* ¶ 10.

## **2. After the TRO was Issued**

Plaintiff Brian Conley has worked in war zones such as Iraq, Afghanistan, Libya, and Burundi. ECF 87, ¶ 1. He also has covered protests for many years in places such as Beijing, New York, Washington, D.C., Miami, Quebec City, and Oaxaca, Mexico. *Id.* He has encountered agents of the Federal Defendants in Portland on multiple days. At all times he was wearing a photographer’s vest with “PRESS” written on it and a helmet that said “PRESS” in large block letters across the front. *Id.* ¶ 2. He was also carrying a large camera with an attached LED light and telephoto lens. *Id.*

Early in the morning of July 24th, Mr. Conley filmed federal agents seizing a woman who was dancing with flowers in front of the officers. *Id.* ¶ 3-4. At that point, the crowd was

mostly press and a few individual protestors. *Id.* ¶ 3. Federal agents launched tear gas into the streets, and Mr. Conley yelled that he was press to avoid being further tear gassed. *Id.* ¶ 6. Mr. Conley was then shot with impact munitions in the chest and foot. *Id.* ¶ 7. Video of this event shows that the situation grew tense as a protester attempted to interfere with the agents' seizure of the woman. As the agents finalized the seizure of the woman and the interfering protester and retreated into the federal courthouse with the woman and the interfering protester, they laid sweeping cover fire into the remaining crowd, which included Mr. Conley and other press members, even though no protester was near Mr. Conley at the time. After the officers were safely within the building, Mr. Conley continued recording. The video shows that Mr. Conley was outside next to another photographer. A medic and his protector were behind a shield on one side several yards away and a protester yelling taunts was on the other side several yards away. As Mr. Conley was filming, a federal agent on the other side of the courthouse fence shone a bright light at Mr. Conley. Shortly thereafter, without warning, a federal agent shot a tear gas canister above Mr. Conley's head. Mr. Conley also describes this in his declaration. *Id.* ¶ 9.

Mr. Conley took the next two nights off and returned to cover the protests the night of July 27th. *Id.* ¶¶ 17, 18. He was documenting a line of federal agents advancing on a group of six protestors with shields who were standing behind him. *Id.* ¶ 18. He yelled that he was press, but the federal agents unleashed a barrage of munitions at him. *Id.* ¶ 19. He moved to the side, away from the protestors, and continued to yell that he was press. *Id.* ¶ 20. The federal agents briefly stopped firing, one shone a flashlight at him, and resumed fire directly at him, striking him multiple times—although by this point there was nobody else near him. *Id.* Another federal agent threw a flashbang grenade directly at him. *Id.* Mr. Conley could “barely walk” after the events of July 27-28. *Id.* ¶ 25.

Mr. Conley was covering the protests again just before midnight on July 29th. ECF 115, ¶ 4. He had replaced the “PRESS” lettering on his helmet because the concussion and flashbang grenades thrown at him the night before had blown off one of the letters. *Id.* ¶ 2. He was filming federal agents on SW Salmon Street between SW 2nd and SW 3rd Avenue. *Id.* ¶ 4. There was one other photographer between him and the small group of agents. *Id.* One of the agents shone a light on Mr. Conley and fired a munition just beside him. *Id.* Another federal agent with an assault rifle approached Mr. Conley and told him to stay on the sidewalk. *Id.* ¶ 5. Later that night, without warning, federal agents pepper sprayed Mr. Conley at point blank range. *Id.* ¶ 6. Video of this event shows that while Mr. Conley was filming a line of federal officers moving down the street pepper spraying peaceful protesters, including spraying a woman in the face at point blank range who was on her knees with her hands up in the middle of the street, an officer pepper sprayed Mr. Conley at point blank range along with indiscriminately pepper spraying other press and the protesters. Mr. Conley states that he fears for his safety but plans to keep covering the protests because he believes “it is critically important to do so.” *Id.* ¶ 11.

Declarant Amy Katz again covered the protests on the early morning of July 27th. ECF 117, ¶ 10. She witnessed a federal agent push a man down a flight of stairs while arresting him and photographed the incident. *Id.* An agent physically blocked her and tried to stop her from photographing the arrest. *Id.* When she stepped to the side to get another angle, the federal agent physically shoved her away. *Id.* Later that night, she approached a group of federal officers with a group of press, all of whom had their press badges up and their hands in the air. *Id.* ¶ 12. The video of this event shows that many of the group were calling out “press.” Ms. Katz describes that she and the group of press were at least 75 feet away from most of the protestors when federal agents bombarded their group with munitions, hitting her in the side and causing a

large contusion. *Id.* The video shows the group of press moving together off to the far side of the sidewalk, holding their passes up along with cameras, shouting press and saying “hold your passes up.” The group is moving toward the federal officers, recording events, when they are fired upon with various munitions. Ms. Katz stopped covering the Portland protests after that incident because of how the federal agents treated her. *Id.* ¶ 15.

Declarant Rebecca Ellis is a staff reporter for Oregon Public Broadcasting (“OPB”). ECF 88, ¶ 1. She attended the protests the night of July 23rd wearing her OPB press pass, which shows her name, her photograph, and the OPB logo. *Id.* ¶ 2-3. Around 1:30 a.m. she was in a small group of press members filming federal agents exiting the federal courthouse. *Id.* ¶ 3. One agent fired a munition directly at her, hitting her in the hand. *Id.* Video of this incident shows that she is hit when agents advance in a group and fire multiple munitions. Ms. Ellis appears to be in the middle of the street when she is hit. There are also persons crossing in front of Ms. Ellis, who appear also to be press, at the time she is shot. It is unclear who is behind her when she is hit. Ten minutes later, however, federal agents forced her and other press to disperse from near the courthouse. *Id.* ¶ 5. One agent walked towards them shouting “MOVE, MOVE” and “WALK FASTER” in their faces while another agent kept pace next to him, holding his gun. *Id.* Video of this dispersal shows that it is directed at press, in an intimidating manner, despite a press person stating, “You can’t do that.” The video does not seem to support that the press were in the way or otherwise impeding law enforcement actions. Ms. Ellis states that the federal agents prevented her from doing her job and reporting on what was going on behind them. She intends to keep covering the protests but is fearful for her safety. *Id.* ¶ 6.

Declarant Kathryn Elsesser is a freelance photographer whose photographs of the Portland protests have been published by Bloomberg, CBS News, and Yahoo, among others,

including many international publications. ECF 89, ¶ 1. She covered the protests the night of July 24th on assignment from a French news agency. *Id.* ¶ 2. She carried a large camera, wore a press pass from the American Society of Media Photographers, and wore a helmet with “PRESS” written in big letters across the front. *Id.* Around 2 a.m. on July 25th, Ms. Elsesser decided to end her coverage early because she did not have a bullet-proof vest and was afraid federal agents would hurt her. *Id.* ¶ 4. She was standing by herself, across the street from the courthouse, at the edge of the park. *Id.* There was nobody else near her. *Id.* A federal agent shot her in the arm with an impact munition as she was walking away. *Id.* ¶ 5. She believes that the federal agents targeted her because she was taking photographs. *Id.* ¶ 6. Ms. Elsesser states that she would refuse to cover the protests again unless she had a bullet-proof vest because she is afraid that federal agents will injure her or worse. *Id.* ¶ 13.

Declarant Emily Molli is a freelance photojournalist whose photographs have been published in the *New York Times*, the *Wall Street Journal*, the *Guardian*, *ProPublica*, and others. ECF 118, ¶ 1. She is experienced in covering civil unrest, riots, and other dangerous situations. She has reported on the protests in Hong Kong over the course of six months, the “Yellow Vests” in France over the course of a year, the Catalan independence movement, and the protests and riots in Greece. *Id.* ¶ 2. She understands the risk of getting hit by less lethal munitions while standing with protesters, but she objects to federal officers targeting press, which she states she has witnessed happening in Portland. *Id.* She wears a helmet with “PRESS” in big block letters and carries two press passes and a large professional-grade video camera. *Id.* ¶ 3. Early in the morning of July 27, 2020, after getting shot and injured when she had been approximately 75 yards from protesters, Ms. Molli decided to stick with a group of only journalists. *Id.* ¶¶ 7-8. The video of this event shows that they were holding their press passes up, mostly staying together as

a group, and staying toward the side of a street that appears otherwise empty. Federal officers fired munitions at the group of journalists. *Id.* ¶ 8. On July 29, 2020 and into the early morning of July 30th, Ms. Molli recorded another encounter between journalists and federal officers on SW Main Street. *Id.* ¶ 10. Video of this event shows that there were numerous law enforcement personnel, several journalists, and no protesters on that section of the street. Journalists are taking pictures and video of a tear gas canister that had been fired by federal agents when a federal agent fires another tear gas round at the journalists. Ms. Molli intends to keep covering the protests, but she fears for her safety because she has seen the federal agents disobey a court order. *Id.* ¶ 11.

Declarant Daniel Hollis is a videographer for VICE News. ECF 91, ¶ 1. He has covered many chaotic and dangerous situations, including conflict zones in Iraq and Syria, former Taliban areas in Pakistan, child sex-trafficking raids in the Philippines, Iranian militias, gangs, mafia, domestic terrorism, and armed militias. *Id.* He covered the Portland protests for two nights. *Id.* ¶ 2. During the protests, he carried a VICE press pass and a helmet with “PRESS” on it in bright orange tape. *Id.* He also carried a large, professional video-recording camera. *Id.* On July 26th, Mr. Hollis was filming wide-angle footage of a mass of protestors in front of the courthouse. *Id.* ¶ 4. The people closest to him were press and legal observers—the nearest protestors were several yards behind him. *Id.* ¶ 7. He then turned to record a group of federal agents massed outside the courthouse. *Id.* ¶ 5. Almost immediately, the agents shot at him, striking him just to the left of his groin. *Id.* He turned to run away, and another munition hit him in the lower back. *Id.* ¶ 6. Video of this event shows that Mr. Hollis was positioned between the federal agents and those few protesters (not the mass of protesters who were around the building), but the video does not reflect any violent or riotous behavior by anyone near Mr.

Hollis. After the federal agents shot him, Mr. Hollis went back to his hotel. *Id.* ¶ 8. He states that he is more concerned for his personal safety than he was during the month he spent covering ISIS sleeper cells in Northern Syria. *Id.* ¶ 9. He states: “I have been around heavily armed soldiers, militias, and gangs countless times, but have never had weapons aimed or discharged directly at me. The federal agents I have seen in Portland have been less willing to distinguish between press and putative enemies than any armed combatants I have seen elsewhere.” *Id.*

Declarant Jonathan Levinson is an Oregon resident who lives in Portland. ECF 93, ¶ 1. He is a staff reporter for OPB. His work also has appeared on NPR and ESPN, and in the *Washington Post*, the *Wall Street Journal*, and *Al Jazeera*. *Id.* He has experience in conflict zones. He spent five years as an infantry officer in the U.S. Army, with two deployments to Iraq. *Id.* ¶ 2. As a reporter, he has covered the Libyan civil war and done work in Afghanistan, Yemen, Gaza, and the West Bank. *Id.* He has covered the Portland protests for a majority of the nights. When covering the protests, he wears his press pass issued by OPB, which contains his name, photograph, the OPB logo, and the word “MEDIA.” *Id.* ¶ 3. He also wears a helmet that says “PRESS” in large letters on the front and back and carries two professional cameras. *Id.* At around 1:00 a.m. on July 24th, the federal agents had cleared the area next to the courthouse so he decided to take pictures of the agents through the courthouse fence. *Id.* ¶ 4. There were very few protesters anywhere nearby. As he was trying to focus his professional camera, he could see a federal agent raise and aim his weapon and fire several rounds directly at Mr. Levinson. *Id.* ¶ 5. His camera and lens were covered in paint from the agent’s rounds. Mr. Levinson states that he intends to continue covering the protests because he believes they are of historic significance, but that he is fearful for his safety because within hours of the Court issuing its restraining order, he “saw federal agents brazenly violate it.” *Id.* ¶ 7.

**D. Declarations of Plaintiffs' Expert Witness Gil Kerlikowske<sup>4</sup>**

Plaintiffs submitted two declarations from Mr. Gil Kerlikowske, whom the Court finds to be a qualified, credible, and persuasive expert witness. ECF 135, 145. Mr. Kerlikowske is a former Commissioner of U.S. Customs and Border Protection, and he was confirmed by the U.S. Senate. Mr. Kerlikowske also served as the Chief of Police in Seattle, Washington from 2000 through 2009, and the Police Commissioner in Buffalo, New York. He has worked in law enforcement for 47 years. He served in the United States Army and Military Police from 1970 through 1972, where he began training in crowd control, riots, and civil disturbances. He also has served as the Director of the Office of National Drug Control Policy and as Deputy Director of the U.S. Department of Justice, Office of Community Oriented Policing Services. He has been an IOP Fellow at Harvard Kennedy School of Government and teaches as a distinguished visiting fellow and professor of the Practice in Criminology and Criminal Justice at Northeastern University. During his tenure as Chief of Police in Seattle, Mr. Kerlikowske led and orchestrated the policing of hundreds of large and potentially volatile protests, many of which were considerably larger than the recent protests in Portland. He did the same thing when he was Police Commissioner in Buffalo. Mr. Kerlikowske has had substantial training and experience with crowd control and civil unrest in the context of protests, use of force in that context, and use of force generally.

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<sup>4</sup> After oral argument, the Federal Defendants filed the Declaration of Chris A. Bishop, the "Acting Director/Deputy Director," for the U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP). ECF 152. The Federal Defendants offer this declaration as an expert rebuttal to the two declarations of Mr. Kerlikowske. Plaintiffs have moved to strike Mr. Bishop's declaration as untimely. ECF 154. The Court denies Plaintiffs' motion to strike. The Court finds the declaration of Mr. Kerlikowske to be more persuasive than the declaration of Mr. Bishop.



Plaintiffs asked Mr. Kerlikowske to evaluate whether the relief stated in the TRO against the Federal Defendants is both safe and workable from a law enforcement perspective, whether the force that federal authorities used against journalists and legal observer complainants was reasonable, and whether it is advisable to prominently mark federal agents with unique identifying letters or numbers. First, Mr. Kerlikowske opined that the prohibitions contained in the TRO are safe for law enforcement personnel. Defending the federal courthouse in Portland mainly involves establishing a perimeter around the building, and there is no reason to target or disperse journalists from that position. Additionally, to the extent officers leave federal property, the TRO is also safe for federal law enforcement officers, according to Mr. Kerlikowske.

Second, Mr. Kerlikowske stated his expert opinion that the TRO is workable. He states that trained and experienced law enforcement personnel are able to protect public safety without dispersing journalists and legal observers and can differentiate press from protesters, even in the heat of crowd control. He adds that any difficulties that may be faced by federal authorities arise from their lack of training, experience, and leadership with experience in civil disturbances and unrest.

Third, Mr. Kerlikowske explains that based on his review of the record evidence virtually all the injuries suffered by the complaining journalists were the result of improper use of force, including shooting people who were not engaged in threatening acts and misuse of crowd-control munitions by federal law enforcement personnel. For example, Mr. Kerlikowske opines that tear gas canisters and pepper balls should not be fired directly at people. He also opines that rubber bullets should not be shot above the waist, and certainly not near the head. He further opines that in these circumstances, it is inappropriate to shoot someone in the back because at that point they are not a threat.

Finally, Mr. Kerlikowske asserts that in his expert opinion a key duty and responsibility of law enforcement is to be properly and easily identifiable specific to the organization and the individual. He notes that if a decision is made to remove a name tag, it must be replaced with some other identifying label, badge, or shield number. Mr. Kerlikowske explains that such markings increase accountability and act as a check and deterrent against misconduct. He adds that camouflage uniforms are inappropriate for urban settings.

As noted, the Court finds Mr. Kerlikowske to be a well-qualified expert whose opinions are relevant, helpful, and persuasive.

#### **E. The Situation Faced by Law Enforcement**

After the killing of George Floyd on Memorial Day, there have been consistent protests against racial injustice and police brutality in Portland. ECF 67-1, Russell Decl. ¶ 3. The protesters generally are peaceful, particularly during the day and early evening. *See* ECF 113-3, Jones Decl. ¶ 7. Late at night, however, there are incidents of vandalism, destruction of property, looting, arson, and assault. ECF 67-1, ¶ 3. While protestors originally gathered outside the Justice Center (PPB headquarters), some protestors soon directed their attention to the Mark O. Hatfield Federal Courthouse, across the street from the Justice Center. After additional federal officers were deployed to Portland to support existing Federal Protective Service (“FPS”) and USMS personnel, the protests grew larger and more intense, and the federal courthouse became a focus of attention. *Id.* at ¶ 5.

In early July, a group of people broke the glass doors at the entryway of the federal courthouse. *Id.* Members of this group used accelerant and commercial fireworks in an apparent attempt to start a fire inside the courthouse. *Id.* On other nights in July, various objects were thrown at law enforcement, such as rocks, glass bottles, and frozen water bottles. *Id.* at ¶ 6; ECF 101-6, CBP NZ-1 Decl. ¶ 8. Assistant Director for the Tactical Operations Division of the

USMS Andrew Smith describes the environment of the protests as “extremely chaotic and dynamic” and emphasizes that law enforcement must make split-second decisions. ECF 101-1, Smith Decl., ¶ 6. A DHS Public Affairs Specialist identified as CBP PAO #1 states that he observed a person holding a Molotov cocktail. ECF 101-2, ¶ 7. Officers have had to extinguish fires and flaming debris, some of which has been thrown over the fence in officers’ direction. *See* ECF 106-1, Smith Am. Decl. ¶ 15; ECF 101-3, FPS No. 824 Decl. ¶ 5.

The situation has been dangerous for federal agents, in addition to protesters, journalists, and legal observers. Gabriel Russell, FPS Regional Director for Region 10 and commander of DHS’s Rapid Deployment force for Operation Diligent Valor in Portland, notes that as of his declaration submitted on July 29th, 120 federal officers had experienced some kind of injury, including broken bones, hearing damage, eye damage, a dislocated shoulder, sprains, strains and contusions. ECF 101-5, ¶ 4. The Patrol Agent in Charge of Customs and Border Protection, U.S. Border Patrol, identified as CBP NZ-1, describes agents being hit with rocks and ball bearings from sling shots, improvised explosives, commercial grade aerial fireworks, high intensity lasers targeting officer’s eyes, thrown rocks, full and empty glass bottles, frozen water bottles, and balloons filled with paint and feces. ECF 101-6, ¶ 8. He notes that one officer was hit by a projectile that caused a wound that required multiple stitches and one officer was struck in the head and shoulder by a protester wielding a sledgehammer when the officer tried to prevent the protester from breaking down the courthouse door. *Id.* Another federal officer states that he has suffered numerous injuries during the protests, including being struck in the shins by tear gas canisters, suffering temporary hearing loss from commercial fireworks, and suffering temporary blindness from lasers. ECF 101-3, FPS No. 824 Decl. ¶ 6. The Federal Defendants do not assert

that journalists or legal observers caused these injuries. *See, e.g.*, ECF 136-3 at 10-11, CBP NZ-1 Dep. Tr. 72:10-73:1.

The Federal Defendants, however, do assert that some persons wearing the indicia of press have engaged in violent or unlawful behavior. Mr. Smith states that USMS personnel witnessed a person with a helmet marked “press” use a grinder to attempt to breach the fence surrounding the courthouse. ECF 106-1, ¶ 10. Another person wearing a press helmet entered courthouse property, either by climbing the perimeter fence or crossing when the fence was breached. *Id.* ¶ 11. A different person with press clothing helped a protestor climb the perimeter fence. *Id.* at ¶ 14. Mr. Smith also received a report that a staff member was kicked by someone wearing clothing marked “press.” *Id.* at ¶ 15.

Mr. Russell submitted links to several videos purporting to show improper conduct by persons with indicia of press. ECF 101-5, ¶ 8. The Court reviewed those videos and did not find persuasive evidence of any wrongdoing related to persons wearing indicia of press with two exceptions. The first are the videos of Mr. Brandon Paape, who admits that he is not press but is wearing clothing marked “press” because he was assaulted by federal agents and hoped wearing clothing that indicates he is press would protect him from further violence. *Id.* ¶ 8(e), (f). The videos, however, do not provide evidence that Mr. Paape did anything unlawful. He masqueraded as press for personal protection. Additionally, shortly thereafter, he posted on Twitter that he will no longer wear indicia of press. *See* ECF 123 at 12. The videos of Mr. Paape do show, however, that persons other than actual journalists have worn indicia of press. The second is the video of a person wearing a “press” helmet who entered courthouse property and encouraged others to join. ECF 101-5, ¶ 8(h). He states: “They can’t arrest us all.” This, however, is the same person from Mr. Smith’s photograph, ECF 106-1 ¶ 11 (Exhibits B and C).

The Federal Defendants also provide additional declarations describing further conduct. A man wearing a vest stating “press” threw a hard object toward police. ECF 101-3, FPS No. 824 Decl., ¶ 5. Another such person shielded from police a woman who was shining strobe lights into the eyes of an officer. *Id.* One person with handwritten markings reading “PRESS” directed a powerful flashlight at a law enforcement helicopter overhead but was not filming or taking photos or notes. ECF 101-2, CBP PAO #1 Decl. ¶ 9. A photo of this man depicts him standing very close to another man holding a camera. *Id.* It is unclear if the man with the powerful light was lighting for the cameraman or was masquerading as press to use light as a law enforcement irritant. Another federal officer states that on one occasion he witnessed persons wearing press indicia shield other persons who were throwing objects at law enforcement. ECF 101-4, FPS No. 882 Decl. ¶ 5. Finally, CBP PAO #1 notes that people self-identified as press are frequently in the midst of crowds near individuals breaking laws, which makes it difficult to disperse protestors without dispersing journalists as well. ECF 101-2, ¶ 12. The Federal Defendants also consistently note that press intermingle with protesters and stand by (or perhaps record) when protesters engage in purportedly wrongful conduct.

## DISCUSSION

### A. Standing

The Federal Defendants argue that Plaintiffs do not have standing to request injunctive relief. The Federal Defendants concede that “the standing inquiry is focused on the filing of the lawsuit” but then assert that standing must be proven at “successive stages of the litigation” and make the same standing arguments that they made during the TRO. In issuing the Temporary Restraining Order Enjoining Federal Defendants, the Court rejected the Federal Defendants’ arguments regarding standing and found that Plaintiffs had Article III standing. *See Index Newspapers LLC v. City of Portland*, --- F.3d ---, 2020 WL 4220820, at \*4-5 (D. Or. July 23,

2020). To the extent the Federal Defendants request reconsideration of that decision, arguing that based on facts as they existed at the time of the filing of the Complaint Plaintiffs do not have standing, reconsideration is denied.<sup>5</sup> The Federal Defendants provide no compelling basis for the Court to modify its previous determination.

To the extent the Federal Defendants argue that Plaintiffs must continue to prove standing as this lawsuit continues and the facts evolve, the Federal Defendants misunderstand the doctrines of standing and mootness. Article III standing is evaluated by considering the facts as they existed at the time of the commencement of the action. *See Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 180 (2000) (noting that “we have an obligation to assure ourselves that FOE had Article III standing at the outset of the litigation”); *Skaff v. Meridien N. Am. Beverly Hills, LLC*, 506 F.3d 832, 838 (9th Cir. 2007) (“The existence of standing turns on the facts as they existed at the time the plaintiff filed the complaint.”).

Whether standing and the other requirements for a live case or controversy exists throughout the entirety of a case is considered under the doctrine of mootness. *See Barry v. Lyon*, 834 F.3d 706, 714 (6th Cir. 2016) (“To uphold the constitutional requirement that federal courts hear only active cases or controversies, as required by Article III, section 2 of the federal constitution, a plaintiff must have a personal interest at the commencement of the litigation (standing) that continues throughout the litigation (lack of mootness).”); *Vasquez v. Los Angeles*

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<sup>5</sup> The Federal Defendants offer no authority for the notion that this Court must repeatedly litigate the same issue. The Federal Defendants are bound by the “law of the case” doctrine for determinations made by this Court, absent reconsideration or changed circumstances such as if new Plaintiffs were added who the Federal Defendants contended did not have standing. At any appeal stage of this litigation, however, “the standing requirement therefore must be met by persons seeking appellate review, just as it must be met by persons appearing in courts of first instance.” *Virginia House of Delegates v. Bethune-Hill*, 139 S. Ct. 1945, 1951 (2019) (simplified).

*Cty.*, 487 F.3d 1246, 1253 (9th Cir. 2007) (noting that mootness is the doctrine under which courts ensure that “a live controversy [exists] at all stages of the litigation, not simply at the time plaintiff filed the complaint”); *Becker v. Fed. Election Comm’n*, 230 F.3d 381, 386 n.3 (1st Cir. 2000) (noting that *Lujan* “clearly indicat[es] that standing is to be ‘assessed under the facts existing when the complaint is filed’” and that evaluating standing thereafter “conflates questions of standing with questions of mootness: while it is true that a plaintiff must have a personal interest at stake throughout the litigation of a case, such interest is to be assessed under the rubric of standing at the commencement of the case, and under the rubric of mootness thereafter”); *McFalls v. Purdue*, 2018 WL 785866, at \*8-10 (D. Or. Feb. 8, 2018) (discussing the difference between standing and mootness). Therefore, the Federal Defendants’ arguments that Plaintiffs must demonstrate standing at “all stages of the litigation,” fail to do so now, and thus fail to present a case or controversy are more appropriately raised under the doctrine of mootness, to which the Court now turns. *See, e.g., Barry*, 834 F.3d at 714; *Vasquez*, 487 F.3d at 1253; *Becker*, 230 F.3d at 386 n.3; *Tellis v. LeBlanc*, 2020 WL 1249378, at \*5 (W.D. La. Mar. 13, 2020); *Rhone v. Med. Bus. Bureau, LLC*, 2019 WL 2568539, at \*3 (N.D. Ill. June 21, 2019); *Fancaster, Inc. v. Comcast Corp.*, 2012 WL 815124, at \*5 (D.N.J. Mar. 9, 2012).

## **B. Mootness**

The Federal Defendants do not specifically argue that Plaintiffs’ claims are moot based on any new facts or circumstances. Because the Federal Defendants appear to argue that Plaintiffs now lack standing based on changed circumstances, the Court considers whether the Federal Defendants’ voluntary change in enforcement tactics moots Plaintiffs’ claims. The augmented force of federal enforcement officers currently remain in Portland, ready to deploy whenever ordered, but have recently deployed only in limited circumstances and have not

recently engaged in the crowd control tactics that supported the Court's original TRO in this case.

For a short time, the Oregon State Police took the lead in enforcing crowd control in Portland. That appears to have ended, and the Portland Police have now resumed performing that role. The out-of-town agents and officers of the Federal Defendants who have been deployed to Portland, however, and whose actions were the basis of the Court's TRO, remain in Portland. Further, they have no scheduled date of departure.

To determine mootness, "the question is not whether the precise relief sought at the time the application for an injunction was filed is still available. The question is whether there can be *any* effective relief." *Nw. Env'tl. Def. Ctr. v. Gordon*, 849 F.2d 1241, 1244-45 (9th Cir. 1988) (emphasis in original) (quoting *Garcia v. Lawn*, 805 F.2d 1400, 1403 (9th Cir. 1986)). If a course of action is mostly completed but modifications can be made that could alleviate the harm suffered by the plaintiff's injury, the issue is not moot. *Tyler v. Cuomo*, 236 F.3d 1124, 1137 (9th Cir. 2000). A case becomes moot "only when it is impossible for a court to grant any effectual relief whatever to the prevailing party." *Chafin v. Chafin*, 568 U.S. 165, 172 (2013) (quotation marks omitted). The party alleging mootness bears a "heavy burden" to establish that a court can provide no effective relief. *Karuk Tribe of Cal. v. U.S. Forest Serv.*, 681 F.3d 1006, 1017 (9th Cir. 2012) (quoting *Forest Guardians v. Johanns*, 450 F.3d 455, 461 (9th Cir. 2006)).

Further, voluntary cessation of conduct moots a claim only in limited and narrow circumstances. As explained by the Supreme Court:

The test for mootness in cases such as this is a stringent one. Mere voluntary cessation of allegedly illegal conduct does not moot a case; if it did, the courts would be compelled to leave the defendant free to return to his old ways. A case might become moot if subsequent events made it absolutely clear that the allegedly wrongful behavior could not reasonably be expected to



recur. Of course it is still open to appellees to show, on remand, that the likelihood of further violations is sufficiently remote to make injunctive relief unnecessary. This is a matter for the trial judge. But this case is not technically moot, an appeal has been properly taken, and we have no choice but to decide it.

*City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283, 289 n.10 (1982) (simplified); *see also* *F.T.C. v. Affordable Media*, 179 F.3d 1228, 1238 (9th Cir. 1999) (“A case may become moot as a result of voluntary cessation of wrongful conduct only if ‘interim relief or events have completely and irrevocably eradicated the effects of the alleged violation.’” (quoting *Lindquist v. Idaho State Bd. of Corr.*, 776 F.2d 851, 854 (9th Cir. 1985))). The Ninth Circuit has noted that “an executive action that is not governed by any clear or codified procedures cannot moot a claim.” *McCormack v. Herzog*, 788 F.3d 1017, 1025 (9th Cir. 2015). The Ninth Circuit also advises courts to be “less inclined to find mootness where the new policy could be easily abandoned or altered in the future.” *Rosebrock v. Mathis*, 745 F.3d 963, 972 (9th Cir. 2014) (simplified).

The Federal Defendants’ voluntary change in enforcement tactics does not moot Plaintiffs’ claims. There remains effective relief that the Court can provide for Plaintiffs. Further, the change in enforcement tactics is not part of any clear or codified procedures. It could easily be abandoned or altered in the future. Indeed, the Federal Defendants have stated that they specifically intend to abandon or alter in the future the current posture and become actively involved again if local police do not perform in a manner acceptable to the Federal Defendants or are otherwise unable to secure the federal courthouse in Portland in a manner acceptable to the Federal Defendants.<sup>6</sup> Whether this current and potentially temporary change in enforcement tactics affects Plaintiffs’ likelihood of irreparable harm is addressed in Section D.2 below.

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<sup>6</sup> *See, e.g.*, ECF 147-1 at 3 (USMS responding to a Request for Admission that it would no longer police Portland protests by stating: “USMS cannot know whether state law

## C. Factors for Preliminary Injunctive Relief

### 1. Likelihood of Success on the Merits

Plaintiffs allege both First Amendment retaliation and a violation of their First Amendment right of access.<sup>7</sup> Plaintiffs must show a likelihood of success on the merits (or at least substantial questions going to the merits) on at least one of these two claims. Plaintiffs satisfy this requirement.

#### a. First Amendment Retaliation

To establish a claim of First Amendment retaliation, Plaintiffs must show that: (1) they were engaged in a constitutionally protected activity; (2) the Federal Defendants' actions would chill a person of ordinary firmness from continuing to engage in the protected activity; and

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enforcement efforts will continue or whether those efforts will sufficiently protect federal property” and providing a nearly identical response in denying a request for admission that USMS would not engage with journalists or legal observers at a Portland protest); ECF 147-2 at 3 (USMS responding to an interrogatory regarding its plans to remove the additional support personnel sent to Portland: “With respect to the withdrawal of additional personnel deployed to Portland, their withdrawal will depend on unknown future circumstances in Portland and presence of any threat to the federal judiciary or property.”); ECF 147-3 at 3 (DHS providing nearly identical responses to the similar Requests for Admission); ECF 147-4 at 4 (DHS responding that the “cessation of Operation Diligent Valor will depend on unknown future circumstances in Portland. . . . The other DHS officers and agents deployed to Portland to assist FPS in the protection of the Hatfield U.S. Courthouse and federal facilities in Portland will remain in Portland until the Department makes an operational security determination that their presence is no longer required to protect federal facilities there.”); ECF 147-4 at 3 (DHS affirming as truthful the statements in the press release filed with the Court in ECF 124-1, including the statement from Acting Secretary Chad Wolf that “the increased federal presence in Portland will remain until [DHS] is certain the federal property is safe and a change in posture will not hinder DHS’s Congressionally mandated duty to protect it. While the violence in Portland is much improved, the situation remains dynamic and volatile, with acts of violence still ongoing, and no determination of timetables for reduction of protective forces has yet been made. Evaluations remain ongoing.”).

<sup>7</sup> Plaintiffs also allege claims under the Fourth Amendment and Oregon’s state Constitution, but did not argue those claims in their motion for preliminary injunction. Thus, the Court only considers Plaintiffs’ likelihood of success on their First Amendment claims.

(3) the protected activity was a substantial or motivating factor in the Federal Defendants' conduct. *Pinard v. Clatskanie Sch. Dist.* 6J, 467 F.3d 755, 770 (9th Cir. 2006). For the first factor, Plaintiffs have shown that they are engaged in constitutionally protected activity under the First Amendment. Plaintiffs are engaged in newsgathering, documenting, and recording government conduct. *See, e.g., Leigh*, 677 F.3d at 898 (recognizing First Amendment protection for "the press and public to observe government activities"); *United States v. Sherman*, 581 F.2d 1358, 1360 (9th Cir. 1978) (noting that the "ability to gather the news" is "clearly within the ambit of the First Amendment"). The Federal Defendants do not dispute this factor.

Regarding the second factor, the Federal Defendants argue that Plaintiffs' assertion that they intend to continue to cover the protests in Portland or that they have a continuing fear of future physical force or threat by the Federal Defendants is subjective and insufficient. The Court rejects that argument. The enforcement tactics of the Federal Defendants would chill a person of ordinary firmness from continuing to engage in the protected activity. "Ordinary firmness" is an objective standard that will not "allow a defendant to escape liability for a First Amendment violation merely because an unusually determined plaintiff persists in his protected activity." *Mendocino Env'tl. Ctr. v. Mendocino Cty.*, 192 F.3d 1283, 1300 (9th Cir. 1999). Before the TRO was in place, Plaintiffs submitted numerous declarations, photographs, and videos describing and depicting instances when journalists and legal observers were targeted. This includes Mr. Howard being shot at close range despite complying with a federal officer's order to stay where he was. It also includes Mr. Kim and Mr. Yau being shot when they were not near protesters. It further includes Mr. Berger being beaten with a baton.

The Court also has reviewed all of the testimony and videos submitted by Plaintiffs after the Court issued its TRO. Although some of that evidence is ambiguous or less persuasive, some

of it describes or shows conduct that appears to target journalists and legal observers, as opposed to incidentally or inadvertently reaching them as part of reasonable crowd control or enforcement against violent offenders. This evidence includes a federal officer forcing reporter Ms. Ellis to disperse on July 24, 2020 in a manner that would be intimidating to a reasonable person, despite the Court's TRO providing that press shall not be required to disperse. It also includes a federal officer spraying mace or pepper spray directly into the faces of clearly marked legal observers from only a few feet away. The evidence further includes a federal officer shooting a less lethal munition on July 23rd directly at Mr. Conley and another photographer, both clearly identifiable as press, after shining a bright light on them to identify them, and when the person nearest to them was a clearly identified medic standing behind a shield several feet away. It also includes video from Ms. Molli in the early morning of July 30, 2020, one week after the TRO was issued, showing law enforcement agents firing on a group of journalists when only other law enforcement agents were nearby.

The declarations submitted both before and after the TRO also describe that because of the Federal Defendants' conduct, journalists and legal observers were forced to stop newsgathering, documenting, and observing for minutes, hours, or days due to injury and trauma. This includes Mr. Haberman-Ducey being unable to observe due to his broken hand, Mr. Rudoff being unable to return for two days due to being shot in the leg, Mr. Conley having to take some time away because he could "barely walk" after his injuries, Ms. Elsesser stating that she would refuse further assignments in Portland unless she was provided with a bullet proof vest because of her injuries, Mr. Hollis leaving early after he was shot, and Ms. Jeong leaving earlier than she had planned.

Indeed, some journalists decided never to return because of fear for their personal safety. *See, e.g.*, ECF 81 at 4 (Mr. Steve Hickey stating: “I do not intend to continue covering the protests in Portland after tonight, in part because I am fearful that federal agents will injure me even more severely than they did on the night of July 19 and morning of July 20 when they intentionally shot at my face, twice, when I was not even near any protestors.”); ECF 117 at 5 (Ms. Katz stating: “Because of how federal agents treated me, I have stopped covering the Portland protests.”). Most of the declarants, however, emphasize that they intend to continue covering or observing the protests despite their fear of continued injury or targeting by the Federal Defendants. This fear is not unreasonable or speculative. Plaintiffs and the other declarants were repeatedly subject to violent encounters with federal officers when covering the Portland protests. It is not hypothetical or mere conjecture. Instead, it is likely that they and other journalists and legal observers will face such treatment again if they cover protests in Portland policed by agents of the Federal Defendants. Moreover, the mere threat of harm, without further action, can have a chilling effect. *Brodheim v. Cry*, 584 F.3d 1262, 1270 (9th Cir. 2009).

The Court recognizes that that there are some violent individuals at these protests, including some who throw dangerous items at law enforcement officers, such as rocks, frozen water bottles, fireworks, and Molotov cocktail-type devices. Law enforcement also face arson events, including in dumpsters and debris being piled and set on fire. The situation can be dangerous and difficult for law enforcement. The fact that there are some violent offenders, however, does not give the Federal Defendants carte blanche to attack journalists and legal observers and infringe their First Amendment rights. *See Black Lives Matter Seattle-King Cty. v. City of Seattle, Seattle Police Dep’t*, 2020 WL 3128299, at \*3 (W.D. Wash. June 12, 2020). Further, many declarants note that they have covered protests in war zones around the world and

in areas with riotous protests such as Hong Kong, Oakland, and Seattle, and have never been subjected to the type of egregious and violent attacks by law enforcement personnel as they have suffered in Portland. If military and law enforcement personnel can engage around the world without attacking journalists, the Federal Defendants can respect Plaintiffs' First Amendment rights in Portland, Oregon.

In addition, the change in enforcement tactics does not serve to remove the chilling effect of the Federal Defendants' conduct for the same reason it does not moot Plaintiffs' claims. It is subject to change without notice and whenever the Federal Defendants assert that it is needed. It also has been the subject of conflicting public statements, which would not give a person of ordinary firmness confidence that the Federal Defendants are not poised and ready to return to the streets of Portland at any moment and to continue with the previous *modus operandi*.

Regarding the third factor, the Federal Defendants argue that Plaintiffs fail to show that any protected activity was a substantial or motivating factor in any purported conduct. The Federal Defendants assert that in every video submitted by Plaintiffs after the TRO went into effect, every journalist or authorized legal observer who was purportedly targeted was standing between law enforcement officers and protesters and sometimes also standing next to or behind protesters. Thus, argue the Federal Defendants, legal observers and journalists were not being intentionally targeted but merely were "inadvertently" hit. The Federal Defendants conclude that the circumstantial evidence does not support any retaliatory intent, and Plaintiffs have not shown a likelihood of success on the merits.

The Court reaches a different conclusion from the evidence. The issue is not as simple as whether a legal observer is standing "between" law enforcement personnel and protesters. For example, the Court's view of the two videos showing the pepper spray or mace attack on the

legal observers reveals that this evidence supports the finding that journalists or legal observers were targeted and not inadvertently hit. They were standing together along the fence protecting the courthouse. There may have been protesters at some point standing behind them, although not close behind them, based on the video. Thus, the journalists or legal observers may have been “between” the law enforcement at the fence and some set of protesters further back from the fence. But based on the video, it is clear that the pepper spray was not aimed at protesters standing further back from the fence. The spray appears to have been intentionally directed at close range into the faces and eyes of the journalists or legal observers.

Additionally, from the Court’s review, there are videos showing journalists not standing in between law enforcement and protesters, yet they also appear to have been targeted by agents of the Federal Defendants. For example, the video from Mr. Conley from July 24, 2020, from the time count of approximately 6:30 to 7:40, supports the finding that he was targeted. Federal agents fired on him when he was not near protesters, after he had repeatedly identified himself as press, after many federal officers had returned to the courthouse and were safe from the volatile situation of apprehending the woman and the man who had attempted to interfere with the woman’s apprehension, and after the pan of Mr. Conley’s camera showed that the nearest person was another photographer. The next two nearest people were yards away and were on one side a medic behind a shield and on the other side a single protester yelling taunts. A federal officer shone a bright light at Mr. Conley, making his and his neighboring photographer’s press status even more identifiable, and then fired at Mr. Conley.

The Court also finds it to be a reasonable interpretation<sup>8</sup> that Ms. Ellis and another journalist were targeted when on July 24, 2020, they were forced to disperse, despite the TRO and their clearly identifiable status as press. Further, the Court finds that the video posted by Ms. Molli from early morning on July 30th supports a finding of targeting. This video shows journalists taking video and pictures of a munition that had been fired by federal officers. There were only a handful of journalists and many law enforcement officers, no protesters. Suddenly, one officer fired a less-lethal munition directly at the journalists recording the events.

Moreover, there are declarations that do not have video. The Federal Defendants do not address these. For example, Ms. Elsesser states that on July 25th she was standing by herself, across the street from the courthouse, with no protesters around when she was shot with a munition in the back of her arm. Ms. Katz states that on July 27th she was attempting to photograph the arrest of a protester when a federal agent physically blocked her. When she took a step to the side to get another angle, he physically shoved her away. These videos and declarations are all circumstantial evidence supporting retaliatory animus.

The Federal Defendants cite two unpublished Ninth Circuit decisions in support of their argument that in responding to some violent offenders in protesting crowds, any incidental burden on the First Amendment rights of journalists and legal observers is acceptable. These unpublished—and thus non-precedential—cases are unpersuasive. The Court follows published Ninth Circuit precedent, including *Collins*, which instructs that the proper response to violence is to arrest the violent offenders, not prophylactically suppress First Amendment rights. *See Collins*, 110 F.3d at 1372.

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<sup>8</sup> The Court makes no determination regarding clear and convincing evidence needed for a finding of contempt.



The Federal Defendants also argue that they have a formal policy of supporting First Amendment rights and contend that Plaintiffs fail to show otherwise. The Federal Defendants may not, however, hide behind a formal policy if in practice they do not conform to that policy. *See Castro v. Cty. of Los Angeles*, 833 F.3d 1060, 1075 n.10 (9th Cir. 2016) (en banc) (noting that a defendant cannot escape its “actual routine practices” by “pointing to a pristine set of policies”). At this stage of the litigation, the Court is persuaded by the number of alleged acts and the expert testimony of Mr. Kerlikowske that the conduct of the federal officers has not been reflective of a policy or practice of respecting First Amendment rights. Mr. Kerlikowske opines that the federal officers repeatedly have engaged in excessive force against journalists and legal observers, have not used appropriate crowd control tactics, and improperly have fired at the head, heart, and backs of journalists and legal observers when such conduct is generally not permitted. Even the Federal Defendants’ own witnesses have conceded that shooting persons in such a manner is inappropriate. *See, e.g.*, ECF 136-2 at 13, FPS 824 Dep. Tr. 34:14-21 (testifying that shooting a person in the back who is not doing anything violent is not appropriate); ECF 136-3 at 8, CBP NZ-1 Dep. Tr. 37:18-25 (testifying that shooting a person in the back is not something that an agent or officer should do). Mr. Kerlikowske also opines that the augmented federal force deployed in Portland does not have the appropriate training for policing urban protests and crowd control and does not have the appropriate supervision and leadership. The Court finds these opinions persuasive, and they provide further circumstantial evidence of retaliatory intent.

In sum, Plaintiffs provide substantial circumstantial evidence of retaliatory intent to show, at the minimum, serious questions going to the merits. Plaintiffs submit numerous declarations and other video evidence describing and showing situations in which the declarants

were identifiable as press, were not engaging in unlawful activity or even protesting, were not standing near protesters, and yet were subjected to violence by federal agents under circumstances that appear to indicate intentional targeting. Contrary to the Federal Defendants' arguments, this evidence does not show that the force used on Plaintiffs was merely an "inadvertent" consequence of otherwise lawful crowd control. Also, Plaintiffs submit expert testimony opining about repeated instances of excessive force being used against journalists and legal observers and failures of training and leadership with the augmented federal force sent to Portland, which is further circumstantial evidence supporting Plaintiffs' claim. Thus, Plaintiffs' have shown the elements of First Amendment retaliation.

**b. Right of Access to Public Streets and Sidewalks**

The First Amendment prohibits any law "abridging the freedom of speech, or of the press[.]" U.S. Const., amend. I. Although the First Amendment does not enumerate special rights for observing government activities, "[t]he Supreme Court has recognized that newsgathering is an activity protected by the First Amendment." *United States v. Sherman*, 581 F.2d 1358, 1361 (9th Cir. 1978); see *Branzburg*, 408 U.S. at 681 ("[W]ithout some protection for seeking out the news, freedom of the press could be eviscerated.").

As the Ninth Circuit has explained: "the Supreme Court has long recognized a qualified right of access for the press and public to observe government activities." *Leigh*, 677 F.3d at 898. By reporting about the government, the media are "surrogates for the public." *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980) (Burger, C.J., announcing judgment); see also *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 91 (1975) ("[I]n a society in which each individual has but limited time and resources with which to observe at first hand the operations of his government, he relies necessarily upon the press to bring to him in convenient form the facts of those operations."). As further described by the Ninth Circuit, "[w]hen wrongdoing is

underway, officials have great incentive to blindfold the watchful eyes of the Fourth Estate.” *Leigh*, 677 F.3d at 900 (quoting Timothy B. Dyk, *Newsgathering, Press Access, and the First Amendment*, 44 STAN. L. REV. 927, 949 (1992) (alteration in original) (“[W]hen the government announces it is excluding the press for reasons such as administrative convenience, preservation of evidence, or protection of reporters’ safety, its real motive may be to prevent the gathering of information about government abuses or incompetence.”)).

The Federal Defendants argue that journalists have no right to stay, observe, and document when the government “closes” public streets. This argument is not persuasive. First, the Federal Defendants are not the entities that “close” state and local public streets and parks; that is a local police function.<sup>9</sup> Second, the point of a journalist observing and documenting government action is to record whether the “closing” of public streets (*e.g.*, declaring a riot) is lawfully originated and lawfully carried out. Without journalists and legal observers, there is only the government’s side of the story to explain why a “riot” was declared and the public streets were “closed” and whether law enforcement acted properly in effectuating that order. Third, the Federal Defendants have not shown that any journalist or legal observer has harmed any federal officer or damaged any federal property, and if any journalist, legal observer, or person masquerading as a journalist or legal observer were to attempt to do so, the preliminary injunction would not protect them. Thus, the stated need to protect federal property and the safety of federal officers is not directly affected by allowing journalists and legal observers to stay, observe, and record events.

The Federal Defendants argue that Plaintiffs improperly rely on *Press-Enterprise Co. v. Superior Court* (“*Press-Enterprise II*”), 478 U.S. 1 (1986), to articulate the standard to apply in

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<sup>9</sup> See n.2, *supra*.

evaluating likelihood of success in Plaintiffs' claim of right of access. The Court rejects this argument.

In *Press-Enterprise II*, the Supreme Court established a two-part test for a claim of violation of the right of access. First, the court must determine whether a right of access attaches to the government proceeding or activity by considering whether the place and process have historically been open to the press and general public and whether public access plays a significant positive role in the functioning of the particular process in question. *Press-Enterprise II*, 478 U.S. at 8-9. Second, if the court determines that a qualified right applies, the government may overcome that right only by demonstrating "an overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest." *Id.* at 9 (citation omitted); *see also Leigh*, 677 F.3d at 898 (discussing *Press-Enterprise II*). The public streets, sidewalks, and parks historically have been open to the press and general public,<sup>10</sup> and public observation of law enforcement activities in these public fora plays a significant positive role in ensuring conduct remains consistent with the Constitution.

The Federal Defendants argue that they have a strong and overriding government interest in protecting federal property. The Court agrees that protecting federal property is a strong

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<sup>10</sup> The Federal Defendants argue that the proper question is whether there historically was access after the closure order that is at issue—the unlawful assembly declaration and dispersal order. The Court disagrees that access is evaluated after the closure that is challenged. Access is considered before the closure that is challenged to determine whether the closure is unduly burdening First Amendment rights. For example, the Supreme Court in *Press-Enterprises II* did not evaluate whether the press and public had access to preliminary criminal proceedings that were subject to a legitimate closure order, but whether they had access to preliminary criminal proceedings generally. 478 U.S. at 10. Even if the Federal Defendants' assertion of how to frame the first question in *Press-Enterprises II* is correct, however, as noted above, it is not at issue in this motion because the City previously has stipulated that even after it has declared an unlawful assembly and issued a lawful dispersal order on state and local property, journalists and authorized legal observers may remain.

government interest, but the Federal Defendants must craft a narrowly tailored response to achieve that government interest without unreasonably burdening First Amendment rights. The Federal Defendants simply assert that dispersing everyone is as narrowly tailored as possible and to allow anyone to stay after a dispersal order is not practicable or workable. The record, however, belies this assertion.

The City, by stipulated preliminary injunction, does not require journalists and authorized legal observers to disperse, even when there has been an otherwise lawful general order of dispersal. After issuing the first TRO directed against the City, the Court specifically invited the City to move for amendment or modification if the original TRO was not working or to address any problems at the preliminary injunction phase. Instead, the City *stipulated* to a preliminary injunction that was nearly identical to the original TRO, with the addition of a clause relating to seized property. The fact that the City did not ask for any modification and then stipulated to a preliminary injunction is compelling evidence that exempting journalists and legal observers is workable.<sup>11</sup> Moreover, the City supports Plaintiffs' request for an injunction against the Federal Defendants, both the TRO and this preliminary injunction. Additionally, as discussed previously, Plaintiffs' expert witness Mr. Kerlikowske provides qualified, relevant, and persuasive testimony

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<sup>11</sup> At oral argument, counsel for the City noted that the City might request from Plaintiffs a possible modification to the stipulated preliminary injunction. The City noted it had encountered some issues with persons with "press" markings intermingling with protesters and interfering with law enforcement. The Federal Defendants argue that this is "proof" that the preliminary injunction is "unworkable." Whether the City might request a modification at some point in the future, however, is not evidence of unworkability. Additionally, the City's stipulated preliminary injunction does not contain the indicia of journalists and legal observers that they "stay to the side" and not intermix with protesters, which is included in the preliminary injunction below, and does not contain the express prohibition on press and legal observers impeding, blocking, or interfering with law enforcement activities, which also is included below. Further, the fact that there might be room for improvement of a preliminary injunction does not make it unworkable. The Court is mindful not to let the perfect be the enemy of the good.

showing that the relief provided in the TRO against the Federal Defendants is workable. He also explains that during his tenure in Seattle, law enforcement did not target or disperse journalists and there were no adverse consequences. Numerous declarants also testified that they were not dispersed during protests in other locations. Thus, it is workable and feasible to disperse protesters generally but not require the dispersal of journalists and authorized legal observers. The Federal Defendants' blanket assertion that federal officers must disperse everyone is rejected.

Further, the Federal Defendants' objections to the workability of the TRO primarily focus on concerns regarding when journalists and legal observers "intermingle" with protesters. The first concern is that federal officers will violate the injunction if a journalist or legal observer is subject to crowd control tactics when mixed with the crowd. The preliminary injunction contains protections for this scenario. It adds, different from the TRO, the indicia of a journalist and legal observer that they stay to the side of the protest and not intermix with protesters. It also retains the protection for law enforcement that the incidental exposure of journalists and legal observers to crowd control devices is not a violation of the injunction.

The Federal Defendants' second concern with the intermingling of journalists and legal observers and protesters is that journalists and legal observers may interfere with law enforcement, particularly if allowed to stay after dispersal order. The preliminary injunction, however, retains the TRO's instruction that journalists and legal observers must comply with all laws other than general dispersal orders. For further clarity, the preliminary injunction expressly adds the provision that journalists and legal observers may not impede, block, or otherwise interfere with the lawful conduct of the federal officers.

The Federal Defendants also express concern that persons may disguise themselves as press and commit violent or illegal acts. The preliminary injunction, however, does not protect anyone who commits an unlawful act. The Federal Defendants have the same authority to arrest or otherwise engage with persons who commit unlawful acts, regardless of their clothing. Moreover, most of this concern expressed by the Federal Defendants focuses on persons self-identifying as press who are mixed with protesters or interfering with law enforcement. The preliminary injunction's addition of the indicia of press as staying to the side and not intermixing with protesters and express prohibition on interfering with law enforcement further addresses this concern. Further, Mr. Kerlikowske's declarations containing his expert opinions are persuasive in discounting this possibility.

The Federal Defendants also argue that requiring federal officers to wear larger unique identifying markings is not workable and is not connected to Plaintiffs' claims in this case. The Federal Defendants assert that such markings will interfere with an officer's ability to reach necessary equipment and are unnecessary because most officers already wear some unique identifying number somewhere on their uniform. The Federal Defendants were unable, however, to identify specific officers from videos when asked to do so by the Court. The current identifying markings are not of sufficient visibility. The Court does not find it credible that there is no possible location on the helmet or uniforms on which more visible markings can be placed. The Court is persuaded by Mr. Kelikowske's expert opinion that unique identifying markings are feasible, important, and will not interfere with the federal officers' ability to perform their duties. The Court also finds that such a requirement is related to Plaintiffs' claims because, as noted by Mr. Kerlikowske, these markings would deter the very conduct against which Plaintiffs have filed suit.

At this stage of the lawsuit, there are at least serious questions regarding Plaintiffs' right of access, whether the government will be able to meet its burden to overcome that right of access, the federal officers' tactics directed toward journalists and other legal observers, and whether restrictions placed upon them by the Federal Defendants are narrowly tailored. Thus, Plaintiffs' meet this factor for their claim alleging a violation of their right of access.

## **2. Irreparable Harm**

Plaintiffs also must show that they are "likely to suffer irreparable harm in the absence of preliminary relief." *See Winter*, 555 U.S. at 20. The Ninth Circuit has explained that "speculative injury does not constitute irreparable injury sufficient to warrant granting a preliminary injunction. A plaintiff must do more than merely allege imminent harm sufficient to establish standing; a plaintiff must *demonstrate* immediate threatened injury as a prerequisite to preliminary injunctive relief." *Boardman v. Pac. Seafood Grp.*, 822 F.3d 1011, 1022 (9th Cir. 2016) (emphasis in original) (simplified).

The Federal Defendants argue that Plaintiffs face no threat of immediate injury, particularly because of the changed enforcement tactics. The Federal Defendants assert that Plaintiffs have provided no evidence that the chances of encountering a federal officer at a protest is higher in August 2020 than it was in August 2019 or August 2018.

The Federal Defendants' latter assertion is without merit. The Federal Defendants have sent numerous additional federal officers to Portland with the stated mission to protect federal property and persons. Plaintiffs provide evidence that these officers routinely have left federal property and engaged in crowd control and other enforcement on the streets, sidewalks, and parks of the City of Portland. Plaintiffs' expert Mr. Kerlikowske opines that the federal officers and supervisors have insufficient and improper experience and leadership to handle the conditions during the Portland protests. Additionally, Plaintiffs provide evidence that the



augmented federal police force has remained in Portland, that it will stay in Portland ready to deploy at any moment, and that there are no plans for any officers to withdraw from Portland, at least not until it is “certain” that federal property is “safe.” This provides significant evidence that journalists and legal observers are more likely to encounter a federal officer during a protest in August 2020 than in 2019 or 2018, when there was no augmented federal police force or Operation Diligent Valor.

Regarding the Federal Defendants’ argument that the voluntary change in tactics has decreased the immediacy of any claim of injury, thereby mitigating irreparable harm, the Ninth Circuit has rejected a similar argument. In *Boardman*, the defendants argued that there was no immediate danger of harm because the defendants had voluntarily ceased certain conduct. 822 F.3d at 1023. The defendants had voluntarily terminated a disputed merger and entered into a stipulation not to enter into a purchase transaction while the Oregon Attorney General’s investigation was ongoing. *Id.* The stipulation was terminable upon 60-days’ notice to the District Court and the Oregon Attorney General. The Ninth Circuit concluded that the District Court did not abuse its discretion in finding irreparable harm. *Id.*

The Ninth Circuit focused on the fact that the voluntarily stipulation was terminable with 60-days’ notice, the defendants had a history of negotiating in secret, the stipulation was limited to a “purchase transaction” and the transaction could take other contractual forms, and the exclusive marketing agreement between the two defendants had expired (thereby incentivizing a merger). *Id.* The Ninth Circuit noted: “A threat of irreparable harm is sufficiently immediate to warrant preliminary injunctive relief if the plaintiff ‘is likely to suffer irreparable harm before a decision on the merits can be rendered.’” *Id.* (quoting *Winter*, 555 U.S. at 22). For the plaintiff to be injured in *Boardman*, the defendants would have had to give 60-days’ notice and then not

have the district court otherwise intervene, or negotiate in secret and reach a form of deal not considered a “purchase agreement,” or other steps that arguably were attenuated or provided the plaintiffs some opportunity to request emergency relief. Nonetheless, the Ninth Circuit agreed that the potential injury was immediate and irreparable for purposes of preliminary injunctive relief.

Plaintiffs’ irreparable injury here is not nearly as attenuated as *Boardman* and indeed is much more immediate because it could happen without any prior notice to the Court. The Court has already found that Plaintiffs face irreparable harm from the Federal Defendants’ conduct.<sup>12</sup>

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<sup>12</sup> The Federal Defendants cite *Rendish v. City of Tacoma*, 123 F.3d 1216, 1226 (9th Cir. 1997), for the proposition that claims alleging First Amendment retaliation are not entitled to a presumption of irreparable harm. *Rendish* involved a public employee who was terminated and alleged First Amendment retaliation. *Id.* at 1218. The district court found that the plaintiff was *not* likely to succeed on the merits of her claim. *Id.* at 1226. The Ninth Circuit concluded: “Because the district court’s assessment that Rendish did not show a likelihood of success was accurate, it did not abuse its discretion in finding no irreparable harm based on a loss of her constitutional rights.” *Id.* The court rejected the plaintiff’s argument that despite the district court’s conclusion that the plaintiff would not have succeeded on the merits, the district court was required to presume irreparable harm, noting that there is no such presumption. *Id.*

*Rendish* provides no support for the contention that when a court concludes that plaintiffs *are* likely to succeed on the merits of a claim that their constitutional rights have been violated, the plaintiffs are not entitled to a presumption of irreparable harm. Indeed, the opposite is true. *See, e.g., Doe v. Harris*, 772 F.3d 563, 583 (9th Cir. 2014) (“A ‘colorable First Amendment claim’ is ‘irreparable injury sufficient to merit the grant of relief.’” (quoting *Warsoldier v. Woodford*, 418 F.3d 989, 1001 (9th Cir. 2005)) (affirming grant of preliminary injunction)); *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (“It is well established that the deprivation of constitutional rights ‘unquestionably constitutes irreparable injury.’” (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976))); *Assoc. Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) (noting that “[t]he loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury” and reversing and remanding for entry of preliminary injunction (alteration in original) (quoting *Elrod*)); *Klein v. City of San Clemente*, 584 F.3d 1196, 1207-08 (9th Cir. 2009) (“Both this court and the Supreme Court have repeatedly held that the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” (simplified) (reversing and remanding for entry of preliminary injunction)); *Black Lives Matter Seattle-King Cty. v. City of Seattle, Seattle Police Dep’t*, 2020 WL 3128299, at \*4 (W.D. Wash. June 12, 2020) (citing *Melendres* and *Otter* and finding irreparable harm for First Amendment retaliation claims because “[t]he use of less-lethal, crowd control weapons has

After the Court’s initial finding of irreparable harm to support the TRO, Plaintiffs provided even more evidence that journalists’ First Amendment rights have been chilled, including declarations in which journalists describe being subject to less lethal munitions that required the journalist to stop covering the protests for the night or for some period of time, or chilled the journalist from returning to cover the protests in the future. *See, e.g.*, ECF 88 at 2 (Ellis Decl. ¶ 6, “Federal agents prevented me from doing my job twice on the night of July 23-24.”); ECF 89 at 4 (Elsesser Decl. ¶ 13, “If I am asked to cover the protests again, I would refuse unless I had a bulletproof vest (which are in short supply in Portland at the moment) to wear because I am fearful that federal agents would injure me or worse.”); ECF 91 at 3 (Hollis Decl. ¶ 8, “After the federal agents shot me, I turned and ran and returned to my hotel.”); ECF 116 at 3 (Jeong Decl. ¶¶ 7-8, noting that because she was shoved down to the ground by a federal officer she “ultimately left much earlier than I had planned” with respect to covering that night’s protest); ECF 117 at 5 (Katz Decl. ¶ 15, “Because of how federal agents treated me, I have stopped covering the Portland protests.”).

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already stifled some speech even if momentarily”); *Freedom for Immigrants v. U.S. Dep’t of Homeland Sec.*, 2020 WL 2095787, at \*5 (C.D. Cal. Feb. 11, 2020) (“Because FFI has demonstrated that DHS’s conduct likely contravenes its First Amendment rights, FFI satisfies the irreparable harm requirement for preliminary injunctive relief.”); *Nat’l Rifle Ass’n of Am. v. City of Los Angeles*, 441 F. Supp. 3d 915, 938-39 (C.D. Cal. 2019) (“In this case, Plaintiffs have sufficiently demonstrated that they are likely to be deprived of their First Amendment rights—the deprivation of which is ‘well established’ to constitute irreparable harm. Defendants’ primary argument to the contrary is that Plaintiffs have not provided admissible evidence of irreparable harm. But Plaintiffs have provided ample evidence of a likely First Amendment violation, which is enough to satisfy the *Winter* standard.” (citations omitted) (granting preliminary injunction)); *see also* 11A Charles Alan Wright, *FEDERAL PRACTICE & PROCEDURE*, § 2948.1 (2d ed. 2004) (“When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary.”). Plaintiffs have demonstrated that they are likely to be deprived of their First Amendment rights and that is sufficient to show irreparable harm.

The only change is the Federal Defendants' "agreement" with Oregon Governor Kate Brown and voluntarily cessation of certain enforcement tactics. This change in enforcement is replete with caveats. It is terminable at any time and without any notice to this Court or Plaintiffs if the Federal Defendants believe that federal property or persons are not secure. *See* n. 6, *supra*. It is also subject to the federal officers being able to leave the building at any time for a specific incident of enforcement, even if the agreement itself has not changed. For example, although the federal officers' modified enforcement role was announced on July 29, 2020, to begin the next day, Plaintiffs have submitted testimony and video evidence from that night (to be precise, from the early morning on July 30, 2020), of federal officers firing tear gas and flash bang munitions at journalists. *See* ECF 118 at 4. There was no one nearby on the street but numerous federal enforcement officers and six journalists when the munitions were deployed.

Moreover, the Federal Defendants have emphatically and repeatedly denied that they have engaged in any wrongful or unlawful conduct. Thus, there is no indication that their crowd control tactics, which the Court has already found to support both a finding of success on the merits and likelihood of irreparable harm, and which Plaintiffs' expert has characterized as including excessive force, would change if they re-engage in crowd control enforcement and the Court's injunctive relief is no longer in place.

Indeed, the Court has serious concerns that the Federal Defendants have not fully complied with the Court's original TRO. The Court has reviewed all of the testimony and videos submitted by Plaintiffs after the Court issued its TRO, and although some of the evidence is ambiguous or less persuasive, some of the evidence describes and shows at least some conduct that appears to target journalists and legal observers, as opposed to incidentally or inadvertently reaching them as part of crowd control or enforcement against violent offenders.

Further, the Court does not agree with the Federal Defendants that given the magnitude of irreparable injury at stake in this case, the Court is required to wait until new and additional irreparable injury is inflicted on Plaintiffs to issue prospective injunctive relief. As the Ninth Circuit emphasized in *Boardman*, a threat of irreparable injury is sufficiently immediate if it is likely to occur before a decision on the merits can be issued. *Boardman*, 822 F.3d at 1023. Given the Federal Defendants' public statements and discovery responses relating to Operation Diligent Valor, the current situation relating to the protests in Portland, and the current situation regarding the local police presence in Portland, the Court finds that it is sufficiently likely that federal officers will re-engage in "protecting federal property and persons" and will return to enforcement tactics before a decision on the merits in this case can be issued. Thus, Plaintiffs have sufficiently shown irreparable injury.

Moreover, the Court takes guidance from the Supreme Court and Ninth Circuit's discussions regarding the Court's authority relating to issuing injunctions generally and predicting future violations in this context. The Supreme Court has noted that in addition to a court retaining the ability to hear a case after voluntarily cessation (considerations of mootness), "the court's power to grant injunctive relief survives discontinuance of the illegal conduct." *United States v. W. T. Grant Co.*, 345 U.S. 629, 633 (1953). "The necessary determination is that there exists some cognizable danger of recurrent violation, something more than the mere possibility which serves to keep the case alive." *Id.* In making this determination, the district court's "discretion is necessarily broad and a strong showing of abuse must be made to reverse it. To be considered are the bona fides of the expressed intent to comply, the effectiveness of the discontinuance and, in some cases, the character of the past violations." *Id.* The Ninth Circuit has

discussed “the factors that are important in predicting the likelihood of future violations” as follows:

the degree of scienter involved; the isolated or recurrent nature of the infraction; the defendant’s recognition of the wrongful nature of his conduct; the extent to which the defendant’s professional and personal characteristics might enable or tempt him to commit future violations; and the sincerity of any assurances against future violations.

*Fed. Election Comm’n v. Furgatch*, 869 F.2d 1256, 1263 n.5 (9th Cir. 1989). These factors are in addition to “the commission of past illegal conduct, [which] is highly suggestive of the likelihood of future violations.” *Id.*

Considering these factors, whether as articulated by the Supreme Court in *W.T. Grant* or the Ninth Circuit in *Furgatch*, the Federal Defendants’ voluntary cessation of conduct<sup>13</sup> does not demonstrate effective discontinuance and serious questions remain with respect to the likelihood of Plaintiffs’ future injury. In addition, under the *W.T. Grace* factors, there has been no expressed intent by the Federal Defendants to comply with the Court’s TRO. To the contrary, the Federal Defendants have stated that the order is “offensive” and that it “shouldn’t affect anything [the Federal Defendants are ] doing” in Portland. ECF 147-6 at 3 (statement by Acting Deputy

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<sup>13</sup> The Federal Defendants argue that they have not voluntarily ceased conduct because they dispute that they have engaged in any unlawful conduct. Regardless of how they characterize the lawfulness of their conduct, however, their argument is that because of the changed circumstances, Plaintiffs can no longer show irreparable injury. The changed circumstances on which the Federal Defendants rely, however, is the agreement between state and federal authorities that the federal officers would “stay in the building” and state and local police would take over more direct policing. The specifics of this agreement have been redacted by the Federal Defendants. *See* ECF 147-8 at 2. According to White House Senior Advisor Stephen Miller, however, the agreement does not include a “phased withdrawal.” ECF 147-5 at 2. Nonetheless, this agreement and the Federal Defendants’ voluntary change in enforcement as a result of the agreement is the voluntary cessation triggering the changed circumstances on which the Federal Defendants rely. Thus, the Court must analyze whether it supports the Federal Defendants’ assertion that there no longer exists a cognizable risk of recurrent violations.

Secretary Ken Cuccinelli). Also, as reflected in Plaintiffs' motion for contempt, despite the issuance of the TRO, the Federal Defendants appear to have engaged in at least some conduct that continues to target journalists and legal observers in violation of the Court's TRO. This raises concerns regarding future conduct if there is no injunction in place, because even with a Court order in place, improper conduct appears to have continued. Regarding the effectiveness of the Federal Defendants' stated discontinuance, as discussed above, it is not very effective while the out-of-town federal agents remain in Portland because the discontinuance is terminable at will by the Federal Defendants and, thus, only temporary. Finally, the character of the recent past violations by the Federal Defendants in Portland is particularly egregious.

Considering the Ninth Circuit's *Furgatch* factors, first, the Federal Defendants' past violations are highly suggestive of future harm. Second, the degree of scienter involved is high for violations triggering the requested injunctive relief, because it relates to targeting of journalists and legal observers and not merely incidental harm to them during crowd control. Further, because Plaintiffs agreed to the modification to the injunction that journalists and legal observers stay to the side, the risk of incidental targeting is diminished. Third, the occurrences were not isolated—Plaintiffs provided significant evidence of numerous journalists and legal observers who were targeted by the Federal Defendants. Indeed, several of the witnesses have experience reporting in war zones around the world and at violent protests in Hong Kong, Oakland, and Seattle. They emphasize how they have never been shot at or tear gassed until coming to Portland. Fourth, the Federal Defendants have not recognized the wrongful nature of their conduct but instead assert that they have only engaged in lawful conduct. They have not disciplined any federal agent or officer for any conduct. They moved to dissolve the TRO after Plaintiffs moved for contempt. The Federal Defendants, unlike the City of Portland, also did not

stipulate to preliminary injunctive relief. Fifth, given the disdainful comments publicly made by the highest officials at the Federal Defendants with respect to journalists, legal observers, Plaintiffs, protesters, and the City of Portland, the professional and personal characteristics of the Federal Defendants show that they are likely to be enabled or tempted to engage in future violations. Finally, there have not been sincere assurances given against future violations. Accordingly, considering these factors, the Court finds that Plaintiffs have made a sufficient showing of threatened future violations by the Federal Defendants causing sufficiently likely irreparable injury to Plaintiffs before a decision on the merits can be issued.

### **3. Public Interest and Balance of the Equities**

When the government is a party, the last two factors of the injunction analysis merge. *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014). Regarding the public interest, “[c]ourts considering requests for preliminary injunctions have consistently recognized the significant public interest in upholding First Amendment principles.” *Associated Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) (quotation marks omitted). Further, “it is always in the public interest to prevent the violation of a party’s constitutional rights.” *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quotation marks omitted) (granting an injunction under the Fourth Amendment). Regarding balancing the equities, when a plaintiff has “raised serious First Amendment questions,” the balance of hardships “tips sharply in [the plaintiffs’] favor.” *Cnty. House, Inc. v. City of Boise*, 490 F.3d 1041, 1059 (9th Cir. 2007) (alterations in original) (quotation marks omitted).

The Federal Defendants argue that the normal evaluation of these factors in favor of a plaintiff who is likely to succeed on a First Amendment claim does not apply in this case because the government’s countervailing interests outweigh Plaintiffs’ First Amendment concerns. The Federal Defendants assert the government’s interest in protecting federal property, ensuring the



safety of federal officers and other personnel, maintaining public order on federal property, and securing the federal courthouse so that it remains open and accessible to the public. The first three relate to protecting the courthouse and federal officers, and the final interest relates to providing access to the public.

Regarding protection of the courthouse and officers, the Federal Defendants rely on evidence that persons self-identifying as press have engaged in purported misconduct. The Court has reviewed all the video and other evidence submitted by the Federal Defendants in support of their contentions relating to alleged misconduct of persons self-identifying as press after the issuance of the TRO on July 23, 2020. Much of this evidence is ambiguous or shows that persons self-identifying as press have intermixed with protesters, have run toward the fence around the federal courthouse and stopped, have not actually been press but merely donned clothing (for one night) marked “press” hoping to avoid violence by federal officers, or simply have stood by while unlawful conduct was engaged in by others. This is not unlawful conduct.

There is evidence, however, that a few individual persons wearing press indicia on their clothing or hats or helmets (often handwritten), who generally are described by the Federal Defendant declarants as not otherwise engaging in any conduct such as reporting, notetaking, photographing, or recording, have engaged in the following activities: entering courthouse property after the fence was breached and encouraging others to do the same; helping another person to breach the fence; shining a flashlight at a police helicopter; kicking a police officer; shielding protesters from law enforcement; and throwing an object at law enforcement. This is inappropriate conduct, and much of it may be unlawful. The Court shares the Federal Defendants’ concerns for the safety of federal officers, particularly considering the more than 100 injuries that have been sustained by federal offices to date. But as discussed above in the

context of workability, the preliminary injunction does not protect unlawful conduct, and federal officers may arrest anyone, even persons with indicia of press, who are engaging in such conduct.

Further, the preliminary injunction has provisions that expressly address these concerns, including providing that one indicia of press or authorized legal observer status is that they stay to the side and do not intermix with protesters and that press and legal observers may not impede, block, or interfere with law enforcement. Concern over potential unlawful conduct thus does not alter the analysis of traditional public interest factors or the balance of equities.

Moreover, the Court must balance and weigh the equities and public interest. The fact that a few people may have engaged in some unlawful conduct does not outweigh the important First Amendment rights of journalists and legal observers and the public for whom they act as surrogates. Further, there is no evidence that any of the named Plaintiffs engaged in any of the purported unlawful conduct described by the Federal Defendants.

The Federal Defendants' final argument is that the government's interest in preserving physical access to courts outweighs Plaintiffs' interests. That argument also is without merit. The relevant protests are happening after business hours, and there is no indication that allowing journalists and legal observers to stay despite a general dispersal order interferes with public access. Thus, none of the government's proffered interests outweigh the public's interest in receiving accurate and timely reporting, video, and photographic information about the protests and how law enforcement is treating protestors. There also is no need to alter the traditional analysis recognizing the significant public interest in First Amendment rights and that in such cases the balance of the equities tips sharply in favor of the plaintiff. *See Otter*, 682 F.3d at 826; *Cnty. House*, 490 F.3d at 1059.

#### **4. Conclusion**

The Court GRANTS Plaintiffs' motion for preliminary injunction against the Federal Defendants (ECF 134) and Orders as follows:

#### **PRELIMINARY INJUNCTION**

1. The Federal Defendants, their agents and employees, and all persons acting under their direction are enjoined from arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), unless the Federal Defendants have probable cause to believe that such individual has committed a crime. For purposes of this Order, such persons shall not be required to disperse following the issuance of an order to disperse, and such persons shall not be subject to arrest for not dispersing following the issuance of an order to disperse. Such persons shall, however, remain bound by all other laws. No Journalist or Legal Observer protected order this Order, however, may impede, block, or otherwise physically interfere with the lawful activities of the Federal Defendants.

2. The Federal Defendants, their agents and employees, and all persons acting under their direction are further enjoined from seizing any photographic equipment, audio- or video-recording equipment, or press passes from any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person consistent with this Order. Except as expressly provided in Paragraph 3 below, the Federal Defendants must return any seized equipment or press passes immediately upon release of a person from custody.

3. If any Federal Defendant, their agent or employee, or any person acting under their direction seize property from a Journalist or Legal Observer who is lawfully arrested

consistent with this Order, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer. If equipment seized in connection with an arrest of a Journalist or Legal Observer lawfully seized under this Order is needed for evidentiary purposes, the Federal Defendants shall promptly seek a search warrant, subpoena, or other court order for that purpose. If such a search warrant, subpoena, or other court order is denied, or equipment seized in connection with an arrest is not needed for evidentiary purposes, the Federal Defendants shall immediately return it to its rightful possessor.

4. To facilitate the Federal Defendants' identification of Journalists protected under this Order, the following shall be considered indicia of being a Journalist: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. It also shall be an indicium of being a Journalist under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements. These indicia are not exclusive, and a person need not exhibit every indicium to be considered a Journalist under this Order. The Federal Defendants shall not be liable for unintentional violations of this Order in the case of an individual who does not carry or wear a press pass, badge, or other official press credential, professional gear, or distinctive clothing that identifies the person as a member of the press.

5. To facilitate the Federal Defendants' identification of Legal Observers protected under this Order, the following shall be considered indicia of being a Legal Observer: wearing a

green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. It also shall be an indicium of being a Legal Observer protected under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements.

6. The Federal Defendants are not precluded by the Order from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons. The Federal Defendants shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

7. Plaintiffs and the Federal Defendants shall promptly confer regarding how the Federal Defendants can place unique identifying markings (using numbers and/or letters) on the uniforms and/or helmets of the officers and agents of the Federal Defendants who are specially deployed to Portland so that they can be identified at a reasonable distance and without unreasonably interfering with the needs of these personnel. Based on the Court's understanding that Deputy U.S. Marshals and Courtroom Security Officers stationed in Portland who are under the direction of the U.S. Marshal for the District of Oregon are not part of the force that has given rise to events at issue in the lawsuit, they are exempt from this requirement. Agents wearing plain clothes and assigned to undercover duties also are exempt from this requirement. If the parties agree on a method of marking, they shall submit the terms of their agreement in writing to the Court, and the Court will then issue a modified preliminary injunction that incorporates the parties' agreement. If the parties cannot reach agreement within 14 days, each party may submit its own proposal, and each side may respond to any other party's proposal

within seven days thereafter. The Court will resolve any disputes on this issue and modify this preliminary injunction appropriately.

8. To promote compliance with this Preliminary Injunction, the Federal Defendants are ordered to provide copies of the verbatim text of the first seven provisions of this Preliminary Injunction, in either electronic or paper form, within 14 calendar days to: (a) all employees, officers, and agents of the Federal Defendants currently deployed in Portland, Oregon (or who later become deployed in Portland, Oregon while this Preliminary Injunction is in force), including but not limited to all personnel in Portland, Oregon who are part of Operation Diligent Valor, Operation Legend, or any equivalent; and (b) all employees, officers, and agents of the Federal Defendants with any supervisory or command authority over any person in group (a) above.

9. Plaintiffs need not provide any security, and all requirements under Rule 65(c) of the Federal Rules of Civil Procedure are waived.

10. The Court denies the oral motion by the Federal Defendants to stay this preliminary injunction.

**IT IS SO ORDERED.**

DATED this 20th day of August, 2020.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge

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*Index Newspapers v DHS* – Preliminary Injunction regarding Journalists and Legal Observers

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**(b)(5)**

No. 20-35739

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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INDEX NEWSPAPERS LLC, a Washington limited-liability company, dba  
PORTLAND MERCURY; DOUG BROWN; BRIAN CONLEY; SAM GEHRKE;  
MATHIEU LEWIS-ROLLAND; KAT MAHONEY; SERGIO OLMOS; JOHN  
RUDOFF; ALEX MILAN TRACY; TUCK WOODSTOCK; JUSTIN YAU; and  
those similarly situated;

*Plaintiffs-Appellees,*

v.

U.S. DEPARTMENT OF HOMELAND SECURITY and  
U.S. MARSHALS SERVICE,

*Defendants-Appellants,*

and

CITY OF PORTLAND; JOHN DOES 1-60,

*Defendants.*

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**EMERGENCY MOTION UNDER CIRCUIT RULE 27-3 FOR A STAY  
PENDING APPEAL AND FOR AN IMMEDIATE ADMINISTRATIVE  
STAY PENDING DISPOSITION OF THE STAY MOTION**

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**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 16. Circuit Rule 27-3 Certificate for Emergency Motion**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form16instructions.pdf>*

**9th Cir. Case Number(s)**

**Case Name**

I certify the following:

The relief I request in the emergency motion that accompanies this certificate is:

- (1) immediate administrative stay;
- (2) stay pending appeal

Relief is needed no later than *(date)*:

The following will happen if relief is not granted within the requested time:

As the government's motion explains, the preliminary injunction--which is already in effect--is unworkable and imposes irreparable harm on federal officers, who can protect their safety during chaotic and violent protests only by risking contempt of court. The government respectfully requests that the Court enter an immediate administrative stay of the injunction pending disposition of the government's motion. The government further requests that the Court grant the motion for a stay pending appeal at the earliest practicable opportunity, and no later than September 3 (the deadline for the parties to submit proposals to the district court for the court-ordered redesign of federal officers' uniforms).

I could not have filed this motion earlier because:

The district court entered the preliminary injunction on Thursday, August 20, 2020. This motion is being filed as early as possible.

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

I requested this relief in the district court or other lower court:  Yes  No

If not, why not:

I notified 9th Circuit court staff via voicemail or email about the filing of this motion:  Yes  No

If not, why not:

I have notified all counsel and any unrepresented party of the filing of this motion:

On *(date)*:

By *(method)*:

Position of other parties:

Name and best contact information for each counsel/party notified:

Plaintiffs (notified Aug. 24, 2020) oppose the relief requested.  
Lead Counsel: Matthew Borden (borden@braunhagey.com)

Defendants City of Portland (notified Aug. 25, 2020) have not responded.  
Lead Counsel: Naomi Sheffield (naomi.sheffield@portlandoregon.com)

I declare under penalty of perjury that the foregoing is true.

**Signature**  **Date**

*(use "s/[typed name]" to sign electronically-filed documents)*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

## INTRODUCTION AND SUMMARY

The Department of Homeland Security (DHS) and the United States Marshals Service respectfully ask this Court to stay the district court's preliminary injunction of August 20, 2020. By exempting self-identified journalists and legal observers from lawful crowd-control measures necessary to protect federal property and personnel from violent attack, the injunction is legally unjustified and practically untenable. It will immediately and irreparably injure federal law-enforcement personnel working to protect public safety. The injunction should therefore be stayed pending appeal, and should be administratively stayed while the Court considers this motion.

Federal officers in Portland, like law enforcement in other parts of the country, are confronting novel and sophisticated forms of mob violence. Violent opportunists have hijacked demonstrations and are now using the veil of protests to conduct direct assaults on federal personnel and property. Shielded by the crowds, which make it difficult for law enforcement to detect or reach them, rioters in Portland have attacked federal officers with explosives, lasers, projectiles, and other dangerous devices. In some cases, purported journalists or legal observers have provided cover for the violent offenders; in others, individuals wearing supposed press badges have themselves attacked federal personnel or trespassed on federal property. As of July 29, 2020, more than 120 federal officers have been injured in Portland.

As federal officials have strived to contain this serious and evolving threat, the district court imposed an extraordinary preliminary injunction. It establishes a highly

reticulated yet hopelessly vague set of *ex ante* constraints on law-enforcement personnel responding to violent protests. To comply with the order, officers must determine whether any given person is carrying “professional gear” or “photographic equipment,” is bearing an official press pass, or is wearing sufficiently “distinctive clothing.” Doc.157, at 59-60. Officers must then exempt all such persons from dispersal orders and crowd-control tactics. This requirement applies even if a journalist or legal observer is mixing with protesters or actively participating in protests that have turned violent. *Id.* at 59-60. In practical effect, the injunction prevents the federal government from effectively addressing riots using the general crowd-control measures that are required, and it unacceptably increases the risk of serious injury to federal law-enforcement officers. It is fundamentally unfair—and, ultimately, it is untenable—to ask federal law enforcement to carry out their responsibilities under these conditions.

To facilitate contempt proceedings against officers who violate the injunction, the injunction also requires the government to consult with plaintiffs on how to alter officers’ helmets and uniforms so each officer can be identified at a distance. This *in terrorem* requirement further injures federal officers, and by extension, the federal property and personnel that they are risking their lives to protect.

Making matters worse, the court issued this intrusive injunction on the ground that the First Amendment exempts journalists and legal observers from lawful dispersal orders. But no such exemption exists. Plaintiffs’ claims that officers are

following a policy of using crowd-control tactics in retaliation against plaintiffs for exercising their First Amendment rights are similarly meritless. The agencies unambiguously prohibit officers from singling out protesters or journalists for exercising those rights; train their officers in the lawful use of crowd-control tactics; require that every use of force against a person be documented and investigated; and investigate and appropriately discipline officers who violate these terms. That some plaintiffs were allegedly subjected to crowd-control measures in response to violent protests over several months does not prove that the agencies have purposefully targeted plaintiffs to retaliate for news-gathering or observing.

Because the injunction is flawed in all respects, this Court should stay the district court's unjustified and harmful effort to superintend federal law-enforcement operations in Portland, and enter an immediate administrative stay pending disposition of this motion.

### STATEMENT

1. The City of Portland has experienced daily protests for almost three months. The overwhelming majority of protesters have remained peaceful. At night, however, violent opportunists have taken advantage of the protests to commit crimes such as arson, assault, property destruction, looting, and vandalism. Doc.67-1, ¶ 3. Many of these crimes have targeted federal property, including the Mark O. Hatfield Federal Courthouse and the office building nearby. *Id.* ¶ 4. DHS and the Marshals



Service responded to these attacks by deploying additional federal law-enforcement officers to Portland. *Id.* ¶ 5.

Until the end of July, federal officers faced nightly attacks from violent opportunists armed with improvised explosives, aerial fireworks, commercial-grade mortars, high-intensity lasers, glass bottles, projectiles fired from wrist rockets, and balloons filled with paint or feces. Doc.67-1, ¶ 4. From May 26 to July 29, protesters injured over 120 officers. Doc.101-5, ¶ 4. Their injuries include broken bones, hearing damage, eye damage, puncture wounds, lacerations, sprains, strains, and contusions. *Id.* In one case, a protester significantly injured an officer by striking the officer in the head and shoulder with a sledgehammer when the officer tried to stop him from breaking into the Hatfield Courthouse. *Id.* To protect federal property and themselves, federal officers have issued dispersal orders to protesters on federal property, and have enforced those orders with crowd-control tactics when protesters failed to comply.

Until the end of July, the State of Oregon and the City of Portland generally declined to support federal law-enforcement efforts on and around federal property. Indeed, on July 22, the Portland City Council prohibited the Portland Police Bureau from working with federal law-enforcement officers. Doc.138-1, ¶ 6. Their inaction resulted in a substantial increase in violent attacks on federal property and personnel. *Id.* ¶ 7.

The situation changed on July 29, when DHS and the State of Oregon entered into an agreement. For a short time, the Oregon State Police “took the lead in enforcing crowd control in Portland.” Doc.157, at 31. “That appears to have ended, and the Portland Police have now resumed performing that role.” Doc.157, at 31. When DHS and the Marshals Service determine that federal buildings in Portland are no longer at risk, they will withdraw the additional federal officers deployed to Portland from the city.

2. Plaintiffs are journalists and legal observers who are interested in covering the Portland protests. On June 28, they sued the City of Portland and sixty unnamed Portland police officers, alleging that local police had violated their First Amendment rights. Doc.1. The city and plaintiffs stipulated to a preliminary injunction against the city. Doc.48; Doc.49.

Plaintiffs then amended their complaint to add DHS and the Marshals Service as defendants. Doc.52. The amended complaint alleged that, by issuing generally applicable dispersal orders, federal officers had denied plaintiffs’ access to protests in violation of the First Amendment. Doc.53, at 45. The complaint further alleged that the agencies had intentionally “targeted journalists and legal observers” in retaliation for exercising their First Amendment rights. *Id.*<sup>1</sup>

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<sup>1</sup> Plaintiffs’ Fourth Amendment and state-law claims are not at issue in the preliminary injunction. Doc.157, at 33 n.7.

On July 23—at the height of the violence against federal property and personnel—the district court entered a temporary restraining order against the federal defendants. The order allowed all self-identified journalists and legal observers to ignore lawful dispersal orders, and forbade federal officers from arresting any journalist or observer who refused to comply with such an order. Doc.84, at 18. The order further prohibited federal officers from “arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer,” absent probable cause that the person has committed a crime. *Id.* The order defined “Journalist” as any person bearing a “professional or authorized press pass” or “badge” or “other official press credentials,” or wearing “distinctive clothing that identifies the wearer as a member of the press.” *Id.* at 19-20. The order defined “Legal Observer” as any person wearing a green National Lawyers’ Guild hat or a blue American Civil Liberties Union vest. *Id.* at 20. Finally, the order declared all intentional violations of the temporary restraining order to be “violation[s] of a clearly established constitutional right . . . not subject to qualified immunity” in damages lawsuits that might be brought against individual officers in the future. *Id.*

The government moved for reconsideration, explaining that, after the order was issued, thousands of protesters had continued to gather around the Hatfield Courthouse each evening. Doc.101, at 4. Violent opportunists among those protesters had fired incendiary devices, projectiles, and lasers at federal officers, and

had attempted to penetrate federal defenses with power tools. *Id.* Many protesters had pretended to be journalists to avoid complying with lawful dispersal orders. *Id.* at 4-5. And federal officers had observed other individuals engaging in illegal activity while wearing clothing that would qualify them as journalists or legal observers under the order. *Id.* at 5-6.

The court denied reconsideration, Doc.126, and *sua sponte* invited the parties to brief the question whether the court should require any officer “who leaves the interior of the federal courthouse during a protest” to “wear a clearly visible unique identifying code” “with white numbers or letters not less than eight inches in height against a dark background,” and “a further requirement that [defendants maintain] a list matching each” code to an officer, Doc.108.

The government objected to the court’s proposal because it would impede the officers’ ability to perform law-enforcement activities and because officers already wear unique identifying numbers. Doc.113, at 19-20 & n.6; Doc.138, at 28-29. The government also opposed any extension of the temporary restraining order. *Id.* at 26. On August 6, the court extended the order without modification for another fourteen days. Doc.126.

3. On August 20, the district court entered a preliminary injunction against DHS and the Marshals Service. Doc.157. The injunction differs from the temporary restraining order in two significant respects.<sup>2</sup>

First, the injunction expands the nonexclusive criteria sufficient to qualify an individual as a “Journalist” or “Legal Observer” protected by the injunction. In addition to assessing the color of a person’s clothing and the nature of any identification that person may present, federal officers must consider whether the person’s “gear” and “equipment” are sufficiently “professional,” Doc.157, at 59-60, and whether the person is standing “off to the side of a protest” or is “engaging in protest activities,” *id.* “These indicia are not exclusive, and a person need not exhibit every indicium to be considered a Journalist [or Legal Observer]” under the injunction. *Id.* Even someone who actively participates in protests that have turned violent can qualify as a journalist or legal observer if he bears one of the other specified “indicia” in the injunction. *Id.*

Second, the injunction instructs DHS and the Marshals Service to confer with plaintiffs on “how the Federal Defendants can place unique identifying markings (using numbers and/or letters) on the uniforms and/or helmets” of federal officers “so that they can be identified at a reasonable distance.” Doc.157, at 60. If plaintiffs

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<sup>2</sup> The opinion and order entering the preliminary injunction is attached as an exhibit to this motion.

and defendants cannot agree on how officers' helmets and uniforms should be altered within fourteen days, the court will itself decide what alterations must be made, and "modify th[e] preliminary injunction appropriately." *Id.* at 61.<sup>3</sup>

The district court denied the government's oral motion to stay the injunction pending appeal. Doc.157, at 61; *see* Fed. R. App. P. 8(a)(1). At the court's invitation, the government filed a supplemental written motion on August 24, Doc.159, which the court denied, Doc. 160.

### ARGUMENT

This Court should stay the preliminary injunction pending appeal, and enter an immediate administrative stay while it considers this motion. In determining whether to grant a stay, this Court considers "(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies." *Nken v. Holder*, 556 U.S. 418, 426 (2009) (quoting *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987)).

All four factors are met here. The district court issued *ex ante* rules—as if it were drafting a policy manual or operational order—to micromanage the conduct of law-enforcement officers responsible for crowd control in unpredictable situations

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<sup>3</sup> Unlike the temporary restraining order, the injunction does not attempt to strip individual officers' qualified-immunity defenses in hypothetical future lawsuits.

involving violence. Especially harmful are the unworkable requirements that officers engaged in crowd control identify journalists and legal observers on the basis of their dress and demeanor, and exempt such individuals from crowd-control measures regardless of the feasibility of doing so. The breadth of these requirements is underscored by the court's directive that officers apply the exemption even if journalists and legal observers are actively participating in protests that have turned violent. These requirements impede federal officers' ability to protect federal personnel and property, to the detriment of the public. The balance of harms and the public interest, which merge in cases involving the government, thus decisively favor a stay. *See Nken*, 556 U.S. at 426.

The government also is likely to succeed on the merits. The injunction rests on the mistaken premise that the First Amendment gives journalists and legal observers the right to disregard lawful dispersal orders issued by officers engaged in riot control. No such exception exists. And plaintiffs have failed to demonstrate that DHS and the Marshals Service have a policy of intentionally targeting them for exercising their First Amendment rights, to the extent they even have standing to bring retaliation claims against those agencies, given that the agencies unambiguously prohibit officers from "profil[ing], target[ing], or discriminat[ing] against any individual for exercising his or her First Amendment rights." Doc.67-6, at 1.

**A. The Injunction Irreparably Injures The Government And Public**

Courts are properly reluctant to micromanage law enforcement officers responding to unpredictable and violent demonstrations. The district court showed no such restraint. The injunction causes direct, irreparable injury to the government by impairing its ability to protect federal property and personnel and by threatening federal officers with grave personal liability.

**1. The injunction imposes unmanageable constraints on law-enforcement officers responding to rioting**

The injunction irreparably harms the government and undermines the public interest by issuing highly reticulated—yet hopelessly vague—instructions to federal officers engaged in riot control. The injunction requires officers confronted with rioters to quickly determine whether any of them is displaying a “professional or authorized press badge” or “other official press credentials”; is carrying sufficiently “professional gear” or “photographic equipment”; is sufficiently distant from “protest activities”; or is wearing sufficiently “distinctive clothing” (in the case of a journalist) or a qualifying green hat or blue vest (in the case of a legal observer). Doc.157, at 59-60. The injunction forbids officers from enforcing dispersal orders against a person bearing these “indicia,” without specifying which or how many are necessary. *Id.* at 59. The injunction also states that such protected journalists and legal observers need not refrain from intermingling with protesters or from participating in protests that have turned violent. *Id.*



There are good reasons why courts should not issue orders of this kind. As the Supreme Court has repeatedly admonished, courts are ill-positioned to second-guess the decisions of officers seeking to disperse a protest that has turned violent. Such occasions present “tense, uncertain, and rapidly evolving” circumstances that force officers “to make split-second judgments.” *Ryburn v. Huff*, 565 U.S. 469, 477 (2012) (quoting *Graham v. Connor*, 490 U.S. 386, 396-97 (1989)). Officers must “restore and maintain lawful order while not exacerbating disorder more than necessary.” *County of Sacramento v. Lewis*, 523 U.S. 833, 853 (1998). They must “act decisively and to show restraint at the same moment, and their decisions have to be made ‘in haste, under pressure, and frequently without the luxury of a second chance.’” *Id.* (quoting *Whitley v. Albers*, 475 U.S. 312, 320 (1986)). The injunction improperly privileges the court’s *ex ante* view of appropriate law-enforcement conduct over officers’ judgments in the moment.

Illustrating the point, the district court’s opinion gave short shrift to the ways in which the injunction will undermine officers’ ability to protect public property and themselves. The court improperly discounted evidence that, after the temporary restraining order was issued, protesters began to disguise themselves as journalists to avoid complying with lawful dispersal orders. *E.g.*, Doc.101-2, ¶¶ 10-12; Doc.101-4, ¶ 5; Doc. 101-5, ¶ 8; Doc.101-6, ¶¶ 11-14. For example, one individual at the protest was filmed while describing a plan to distribute press passes to protesters who are not journalists. Doc.101-5, ¶ 8(c). Other “individuals wearing press markings” were

observed “shielding or obscuring other individuals who were throwing heavy projectiles toward federal officers.” Doc.101-4, ¶ 5(c).

The court also improperly discounted evidence that, as a practical matter, officers cannot assess each protester’s clothing and equipment during “chaotic” and “violent” protests to determine whether that person is covered by the injunction. Doc.101-1, ¶ 6. The injunction thus places officers in an untenable situation: risk their safety or risk contempt. That is not a permissible exercise of the judicial power.

The district court found that the federal government is unlikely to be harmed by the injunction because the City of Portland consented to an injunction with similar terms. Doc.157, at 44. The City’s willingness to live with those terms does not suggest that they impose no harm on the federal government, and anyway the injunction against the federal government is both materially different and more onerous. *Compare id.* at 59-61, *with* Doc.49, at 2-4. And the retired law-enforcement officer’s declaration on which the court relied (Doc. 157, at 24) fails to consider that, unlike the temporary restraining order, the injunction allows people to claim “journalist” or “legal observer” status even if they actively participate in the protests, and that in fact violent opportunists with press indicia have been hiding in the protest crowds. Indeed, the City informed the court that it—like the federal government—has encountered “issues with persons with ‘press’ markings intermingling with protesters and interfering with law enforcement.” Doc.157, at 44 n.11. Additionally,

several named plaintiffs have contradicted the court's assertion that the injunction against the City is workable. Doc.138, at 41 & n.12 (listing sources).

The district court mistakenly believed that it had addressed the government's concerns by forbidding journalists and legal observers from "physically interfer[ing]" with crowd-control activities, and by permitting officers to arrest journalists and legal observers with probable cause. Doc.157, at 58. This misperceives the injury the government will sustain. The injunction is problematic because it imposes an entirely unworkable scheme in which officers must make snap judgments—on pain of contempt—to exempt self-identified journalists and legal observers from general crowd-control measures. True, the court purported to create a safe harbor for officers who "incidentally expose[]" journalists or legal observers to crowd-control tactics. *Id.* at 60. But given the difficulty of identifying persons protected by the injunction under the court's vague definitions, and the fact that the injunction permits journalists and legal observers to mingle with protesters and participate in protests that have turned violent, *id.* at 59-60, this safe harbor affords little protection.

**2. The injunction impermissibly threatens officers with punitive sanctions**

The injunction compounds these harms by instructing the government and plaintiffs to agree on placement of "unique identifying markings (using numbers and/or letters) on the uniforms and/or helmets" of federal officers "so that they can be identified at a reasonable distance." Doc.157, at 60. If the parties cannot agree,

the district court will itself decide what markings are sufficient. *Id.* at 60-61. This provision is expressly intended to enable contempt proceedings against individual officers for asserted violations of the court’s orders. Add.4-6.<sup>4</sup>

The district court identified no authority permitting the judiciary—much less plaintiffs—to design the uniforms of federal officers. Moreover, the court dismissed evidence that such identifiers could interfere with officers’ access to operational gear, expose them to retaliation, and threaten their safety by making it possible to estimate the police force’s size. Doc.157, at 46; *but see* Doc.113, at 19 (citing sources). Those harms alone would entitle the government to a stay. But the provision also threatens individual officers—even those who have not done anything wrong—with grave consequences for violating the injunction’s unworkable terms. These concerns are not hypothetical. Just five days after the court entered its temporary restraining order, plaintiffs filed a contempt motion against an array of federal officials, from line-level officers to the Acting Secretary of Homeland Security. Doc.85, at 17-18. Although that motion is currently in abeyance, the court already has expressed “serious concerns” that defendants “have not fully complied” with its orders and impugned the “professional and personal” character of DHS and Marshals Service officials. Doc. 157, at 51, 55. The court has even suggested appointing an independent prosecutor to pursue criminal contempt charges against federal officers. Add.10.

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<sup>4</sup> Citations in this format refer to the attached addendum containing transcript excerpts. Complete transcripts will be filed in November.

The district court did not cite, and the government is unaware of, any precedent for a preliminary injunction that binds hundreds of officers—who have not violated the law and are not parties to this litigation—in this manner. Such provisions are antithetical to the purpose of a preliminary injunction: to maintain the status quo “pending a determination of the action on the merits.” *Boardman v. Pacific Seafood Grp.*, 822 F.3d 1011, 1024 (9th Cir. 2016). That further counsels in favor of a stay.

**B. The Government Is Likely To Prevail On Plaintiffs’ First Amendment Claims**

The government also is likely to prevail on the merits of plaintiffs’ First Amendment claims.

**1. The First Amendment does not give journalists and legal observers a special right to disobey lawful dispersal orders**

The injunction’s premise is that the First Amendment allows journalists and legal observers to ignore otherwise lawful dispersal orders. Doc.157, at 58-59. That premise is mistaken. Federal officers indisputably may enforce dispersal orders against the general public. *See United States v. Christopher*, 700 F.2d 1253, 1259-61 (9th Cir. 1983). Even the district court acknowledged that federal officers have the authority to issue “crowd-dispersal orders for a variety of lawful reasons.” Doc. 157, at 60. And the First Amendment does not guarantee the press (much less “legal observers”) special rights not available to the public. *See California First Amendment Coal. v. Calderon*, 150 F.3d 976, 981 (9th Cir. 1998). It follows that the First Amendment does not give self-identified “journalists” or “legal observers” the right

to disobey a generally applicable dispersal order issued to protect federal property and personnel. Yet under the injunction, members of the press and legal observers “shall not be required to disperse following the issuance of an order to disperse.” Doc. 157, at 58. That conferral of special privileges on journalists and legal observers has no basis in the First Amendment.<sup>5</sup>

The district court’s error is underscored by its reliance on *Press-Enterprise Co. v. Superior Court of California for Riverside County*, 478 U.S. 1 (1986), which held that the government cannot close judicial proceedings that were historically open to the press and public unless “closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *Id.* at 8-9. This principle does not remotely suggest that the press has a unique and unqualified right to disregard lawful dispersal orders. In any event, a general dispersal order is the narrowest way to protect government property and personnel when officers are faced with unpredictable and violent

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<sup>5</sup> The district court said it was not giving special rights to the press because the government supposedly cannot issue dispersal orders to *anyone* on streets abutting federal property. Doc.157, at 5-6 & n.2. That is incorrect. Federal officers indisputably have authority to issue dispersal orders on federal property. Moreover, DHS officers have authority to “protect[]” federal property “in areas outside the property to the extent necessary to protect the property and persons on the property,” 40 U.S.C. § 1315(b)(1), and to “enforce Federal laws and regulations for the protection of persons and property” on and off federal property, *id.* § 1315(b)(2)(A). Similarly, the Marshals Service has “final authority regarding security requirements for the judicial branch,” including “the security of buildings housing the judiciary.” 28 U.S.C. § 566(*i*). These statutes allow federal officers who have issued dispersal orders on federal property to effectuate those orders off federal property to the extent necessary. *See United States v. Evans*, 581 F.3d 333, 340 (6th Cir. 2009).

protests. Officers cannot effectively respond to violent protests while maneuvering around, and attempting to assess the credentials and equipment of, every person who claims to be a journalist or legal observer. Doc.101, at 5-6 (citing sources).

**2. Plaintiffs lack standing to bring their First Amendment retaliation claims, which are in any event meritless**

The district court further erred in concluding that officers intentionally used force against plaintiffs to deter them from exercising First Amendment rights.

At the outset, plaintiffs lack Article III standing to assert that retaliation claim, although the Court need not resolve this issue in order to grant a stay. A plaintiff lacks standing to obtain injunctive relief on the basis of past injuries alone. *Updike v. Multnomah County*, 870 F.3d 939, 947 (9th Cir. 2017). That principle applies even when plaintiffs seek to enjoin a practice that a law-enforcement agency condones. In *City of Los Angeles v. Lyons*, 461 U.S. 95 (1983), plaintiff alleged that he had been subject to a chokehold, that Los Angeles police officers “routinely appl[ied] chokeholds,” and that officers would continue to apply chokeholds in the future. *Id.* at 105. The Supreme Court accepted that “among the countless encounters between the police and the citizens of . . . Los Angeles, there will be certain instances in which strangleholds will be illegally applied,” but held that it was speculative that the plaintiff “himself will again be involved in one of those unfortunate instances, or that [plaintiff] will be arrested in the future and provoke the use of [the] chokehold” technique. *Id.* at 108.

Here, plaintiffs' retaliation claims turn entirely on allegations of past injuries over an extended period, which were perpetrated by individual officers whose actions (if they occurred as alleged) are in defiance of express government policy. Such allegations do not prove the "real and immediate threat" of future injury necessary to establish standing. *Updike*, 870 F.3d at 947; accord *JW ex rel. Williams v. Birmingham Bd. of Educ.*, 904 F.3d 1248, 1267 (11th Cir. 2018); *Curtis v. City of New Haven*, 726 F.2d 65, 68 (2d Cir. 1984).

The district court speculated that, in the future, federal officers are likely to deliberately target plaintiffs by virtue of their status as journalists or legal observers. Doc.157, at 32, 36. But that suggestion is indistinguishable from the *Lyons* plaintiff's suggestion that, in the future, Los Angeles police officers were likely to deliberately use chokeholds on arrestees. The court also asserted that "the professional and personal characteristics of the Federal Defendants show that they are likely to be enabled or tempted to engage in future violations." *Id.* at 55. That extraordinary and unfounded accusation cannot substitute for Article III's requirement that a plaintiff demonstrate a threat of future injury that is "*certainly impending*"; "[a]llegations of possible future injury are not sufficient." *Clapper v. Amnesty Int'l USA*, 568 U.S. 398, 409 (2013) (emphasis in original); cf. *United States v. Armstrong*, 517 U.S. 456, 464 (1996) (holding that Executive Branch actions are entitled to a presumption of regularity).

Setting aside standing, the district court identified no direct evidence that the government intentionally retaliated against plaintiffs for being journalists or legal



observers. And the court’s conclusion that plaintiffs had presented “substantial circumstantial evidence of retaliatory intent,” Doc.157, at 40, lacks foundation. For one thing, the court overlooked the obvious and entirely proper explanation for many of the alleged instances of misconduct: that officers’ split-second decisions, made at night in the midst of chaotic circumstances, were intended not to retaliate against plaintiffs but to help control a situation that had turned violent. *See generally* Doc.138, at 16-20; *cf. Armstrong*, 517 U.S. at 464.

Even accepting plaintiffs’ characterization of events, plaintiffs have not shown their First Amendment activity was a “substantial or motivating factor” in the government’s conduct. *See Mendocino Env’tl. Ctr. v. Mendocino County*, 192 F.3d 1283, 1300-01 (9th Cir. 1999). Their lawsuit names only DHS and the Marshals Service as defendants, and accuses them of maintaining a policy of retaliating against the press. Doc.53, at 49. But plaintiffs have not identified any such policy. Nor could they. Federal policy explicitly prohibits retaliation against anyone—protesters, journalists, and legal observers alike—for exercising First Amendment rights. *E.g.*, Doc.67-6, at 1 (forbidding officers from “profil[ing], target[ing], or discriminat[ing] against any individual for exercising his or her First Amendment rights”); Doc.67-7, at 2 (prohibiting officers from using crowd-control tactics to “punish, harass, taunt, or abuse a subject”). Officers must undergo extensive training in permissible uses of force, Doc.138-2, at 152-61, and all uses of force against a person must be “documented and investigated,” *id.* at 159. Officers who intentionally retaliate against

someone for exercising First Amendment rights have violated government policies in a manner wholly antithetical to the values the government is committed to upholding. They will be investigated and subject to appropriate discipline.

To the extent plaintiffs allege that some officers have violated these federal policies, they have supplied no basis for imputing the retaliatory intent of such isolated alleged wrongdoers to the defendant agencies. As this Court has made clear in the related context of § 1983 claims against municipalities, “[l]iability for improper custom may not be predicated on isolated or sporadic incidents.” *Trevino v. Gates*, 99 F.3d 911, 918 (9th Cir. 1996). Plaintiffs must instead identify “practices of sufficient duration, frequency[,] and consistency that the conduct has become a traditional method of carrying out policy.” *Id.* Plaintiffs’ allegations fall short of that high threshold. For months, federal officers were present every day and night while thousands of people protested outside the Hatfield Courthouse. Yet plaintiffs have not alleged any improper conduct arising from the vast majority of those many thousands of interactions. And the record disproves plaintiffs’ assertions that the federal government has intentionally embarked upon an improper campaign of retaliation. Doc.157, at 40 (federal officers confirming that First Amendment retaliation violates agency policies).

## CONCLUSION

The Court should (1) stay the preliminary injunction pending appeal, and (2) enter an immediate administrative stay while it considers this motion.

Respectfully submitted,

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*/s/ Michael Shih*

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AUGUST 2020

### **CERTIFICATE OF COMPLIANCE**

I hereby certify that this petition complies with the requirements of Federal Rule of Appellate Procedure 27(d) because it has been prepared in 14-point Garamond, a proportionally spaced font. I further certify that this motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2) because it contains 5,062 words according to the count of Microsoft Word.

*/s/ Michael Shib*

---

MICHAEL SHIH

Counsel for Appellants

### **CERTIFICATE OF SERVICE**

I hereby certify that, on August 25, 2020, I electronically filed the foregoing motion with the Clerk of the Court by using the appellate CM/ECF system. I further certify that the participants in the case are CM/ECF users and that service will be accomplished by using the appellate CM/ECF system.

*/s/ Michael Shib*

---

MICHAEL SHIH

Counsel for Appellants

## **Addendum**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

INDEX NEWSPAPERS, LLC, et al.,	)	
	)	
Plaintiffs,	)	3:20-cv-01035-SI
	)	
vs.	)	July 31, 2020
	)	
CITY OF PORTLAND, et al.,	)	Portland, Oregon
	)	
Defendants.	)	

(Telephonic Motion Hearing)

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE MICHAEL H. SIMON

UNITED STATES DISTRICT COURT JUDGE

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Telephonic motion hearing

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1 to decide anything today. But I do think it is going to be  
2 incredibly difficult to identify specific federal officers; and  
3 thus, incredibly difficult to know, do we have just one or two  
4 or a handful of federal officers who are not complying with the  
5 temporary restraining order, or do we have a more widespread  
6 problem? I think it is going to be very difficult to identify  
7 who might be the federal defendant officers who are  
8 disregarding the temporary restraining order and how many there  
9 are.

10 So what I'm tentatively thinking about, if I do  
11 authorize or renew, rather, the temporary restraining order,  
12 I'm thinking about modifying it as follows, and I might give  
13 everybody an opportunity to respond, especially in writing, and  
14 not necessarily right now. I will give you an opportunity. We  
15 will talk about a schedule for responding next week.

16 But the thinking I'm having is that every federal  
17 defendant officer in Portland, at least those who leave the  
18 federal courthouse building, those who step outside the federal  
19 courthouse building, they must wear visible, unique,  
20 identifying codes. I'm not going to require right now to  
21 identify themselves by name. I do understand the risk of  
22 doxing, and I want to be very, very careful about not having  
23 that come about.

24 But I do think it might be appropriate to require any  
25 federal law enforcement officer who steps out of the federal

1 courthouse building to wear a unique identifying code. What  
2 I'm tentatively thinking about is something like large white  
3 numbers against a dark background, perhaps the numbers not  
4 being less than eight inches high. I'm taking this very  
5 seriously, so I don't mean to diminish the seriousness of this.  
6 But I'm kind of thinking about like professional football or  
7 professional basketball jerseys, not with their names on it but  
8 with numbers on it. Then defendants' counsel will be ordered  
9 and required to maintain logs that correlate names with those  
10 unique identifying codes. I'm not even at this time inclined  
11 to let those logs go to the plaintiffs, and I don't even  
12 necessarily want to see them.

13           But in other words, here is I want to find out: If  
14 we see some evidence going forward of some clearly concerning  
15 violations of the TRO, is it always going to be -- and I'll  
16 just grab a number at random hypothetically. Do we have a  
17 number of problems with Officer 30 -- No. 3-0? Do we see  
18 Officer 3-0 apparently spraying tear gas or mace or other  
19 crowd-control devices directly and intentionally at journalists  
20 or legal observers without any apparent provocation or  
21 appropriate law enforcement need to do that and in violation of  
22 the TRO? Do we see Officer 30 on multiple instances? Or  
23 perhaps we will see Officers 30, 40, and 50 are the ones that  
24 seem to be the ones causing most of the problems.

25           Then we bring them in, and we will hear their

1 testimony. Then we will decide whether or not it is  
2 appropriate to provide any further relief by preventing them  
3 from stepping outside the federal building or maybe even  
4 remaining in the District of Oregon. Maybe we will hear from  
5 them whether or not they received authorization -- formally or  
6 informally -- from any supervisor or commanding officers to do  
7 what they did.

8           On the other hand, if we learn that most of the  
9 problems are caused by many, many different officers wearing  
10 many different numbers, then that many will take us in an  
11 entirely different direction and perhaps in the direction of  
12 contempt against the agency as an agency.

13           As I said in the beginning, or at least a while ago,  
14 I do think that most protesters are here lawfully and most law  
15 enforcement officers do their job with integrity and lawfully,  
16 and it is only very few protesters that are causing the problem  
17 with unlawful conduct, just as there is probably very, very few  
18 federal law enforcement officers violating the TRO.

19           I think the best corrective mechanism might be to put  
20 in place something where they would wear unique, identifying  
21 codes. That's one thing to think about.

22           Now, the second thing I'm thinking about to try to  
23 make this order more workable on the journalists' side is to  
24 treat our journalists like we do our legal observers. Right  
25 now under the TRO, the legal observers are only those who are

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

INDEX NEWSPAPERS, LLC, et al.,	)	
	)	
Plaintiffs,	)	3:20-cv-01035-SI
	)	
vs.	)	August 6, 2020
	)	
CITY OF PORTLAND, et al.,	)	Portland, Oregon
	)	
Defendants.	)	

(Telephonic Motion Hearing)

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE MICHAEL H. SIMON

UNITED STATES DISTRICT COURT JUDGE

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FOR U.S. MARSHALS  
SERVICE, et al.: Jordan Von Bokern  
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Telephonic motion hearing

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1           Now, the only way to enforce an order that federal  
2 defendants not target for violence journalists or people whom  
3 they reasonably know to be journalists or should know to be  
4 journalists, the only way to enforce that is to really  
5 understand how many people have been doing that and who they  
6 are. If I were to just simply enter a contempt finding and  
7 sanction against the federal government generally, if the  
8 federal government could not identify who those particular  
9 offending officers were, that would not necessarily prevent  
10 that from happening in the future.

11           Similarly, since the order itself applies to each  
12 individual agent and employee and officer of the federal  
13 defendants, it's entirely possible to look to a contempt  
14 sanction, whether it be civil or criminal -- and if it is  
15 criminal, maybe with an independent prosecutor -- to ensure  
16 that those individual officers not do this again. One  
17 potential remedy under a civil contempt theory is to order that  
18 those officers are not be allowed -- the specific ones that  
19 have been found to violate the TRO -- that they not be allowed  
20 to leave the federal building, or maybe if they are not  
21 stationed in Oregon, maybe that they not be allowed to remain  
22 in Oregon. Those are all possibilities. It is premature to  
23 speculate, let alone make any findings on contempt.

24           But the purpose of these unique identifiers is to  
25 ensure that the order that is the subject of the lawsuit can be



## **Exhibit**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**INDEX NEWSPAPERS LLC d/b/a  
PORTLAND MERCURY; DOUG  
BROWN; BRIAN CONLEY; SAM  
GEHRKE; MATHIEU LEWIS-ROLLAND;  
KAT MAHONEY; SERGIO OLMOS;  
JOHN RUDOFF; ALEX MILAN TRACY;  
TUCK WOODSTOCK; JUSTIN YAU; and  
those similarly situated,**

Plaintiffs,

v.

**CITY OF PORTLAND; JOHN DOES 1-60;  
U.S. DEPARTMENT OF HOMELAND  
SECURITY; and U.S. MARSHALS  
SERVICE,**

Defendants.

Case No. 3:20-cv-1035-SI

**OPINION AND ORDER GRANTING  
PRELIMINARY INJUNCTION  
AGAINST FEDERAL DEFENDANTS**

Matthew Borden, J. Noah Hagey, Athul K. Acharya, and Gunnar K. Martz, BRAUNHAGEY & BORDEN LLP, 351 California Street, Tenth Floor, San Francisco, CA 94104; Kelly K. Simon, AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF OREGON, P.O. Box 40585, Portland, OR 97240. Of Attorneys for Plaintiffs.

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James L. Buchal, MURPHY & BUCHAL LLP, 3425 SE Yamhill Street, Suite 100, Portland, OR 97214. Of Attorney for *Amicus Curiae* National Police Association.

Duane A. Bosworth, DAVIS WRIGHT TREMAINE LLP, 1300 SW Fifth Avenue, Suite 2400, Portland, OR 97201; Katie Townsend, Gabe Rottman, and Adam A. Marshall, THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS, 1156 15th Street NW, Suite 1020, Washington, D.C. 20005. Of Attorneys for *Amici Curiae* Reporters Committee for Freedom of the Press and 16 News Media Organizations.

**Michael H. Simon, District Judge.**

“Open government has been a hallmark of our democracy since our nation’s founding.” *Leigh v. Salazar*, 677 F.3d 892, 897 (9th Cir. 2012). “When wrongdoing is underway, officials have great incentive to blindfold the watchful eyes of the Fourth Estate.” *Id.* at 900. “The free press is the guardian of the public interest, and the independent judiciary is the guardian of the free press.” *Id.* This lawsuit tests whether these principles are merely hollow words.

Plaintiffs Index Newspapers LLC doing business as Portland Mercury, Doug Brown, Brian Conley, Sam Gehrke, Mathieu Lewis-Rolland, Kat Mahoney, Sergio Olmos, John Rudoff, Alex Milan Tracy, Tuck Woodstock, and Justin Yau (collectively, “Plaintiffs”) bring this putative class action against: (1) the City of Portland (the “City”); (2) numerous as-of-yet unnamed individual and supervisory officers of the Portland Police Bureau (“PPB”) and other agencies allegedly working in concert with the PPB; (3) the U.S. Department of Homeland Security (“DHS”); and (4) the U.S. Marshals Service (“USMS”). The Court refers to DHS and USMS collectively as the “Federal Defendants.” Plaintiffs are journalists and authorized legal

observers. They allege violations of the First and Fourth Amendments of the United States Constitution and Article I, sections 8 and 26 of the Oregon Constitution. Plaintiffs seek declaratory and injunctive relief and money damages.

Before the Court is Plaintiffs' motion for preliminary injunction against the Federal Defendants. Plaintiffs allege that agents of the Federal Defendants from around the United States, specially deployed to Portland, Oregon to protect the federal courthouse, have repeatedly targeted and used physical force against journalists and authorized legal observers who have been documenting the daily Black Lives Matter protests in this city. These federal agents include special tactical units from U.S. Customs and Border Protection under the U.S. Department of Homeland Security ("BORTAC") and other special tactical units from the U.S. Marshals Service under the U.S. Department of Justice ("Special Operations Group" or "SOG").

Although these federal agents are highly trained in some areas of law enforcement, Plaintiffs contend that neither these agents nor their commanders have any special training or experience in civilian crowd control. Plaintiffs allege that some of these officers have intentionally targeted and used physical force and other forms of intimidation against journalists and authorized legal observers for the purpose of preventing or deterring them from observing and reporting on unreasonably aggressive treatment of lawful protesters. In response, the Federal Defendants argue that they are merely protecting the federal courthouse and its personnel from potential or actual violence and that any interference with protected First Amendment activity is merely incidental.

The Ninth Circuit has stated:

Demonstrations can be expected when the government acts in highly controversial ways, or other events occur that excite or arouse the passions of the citizenry. The more controversial the occurrence, the more likely people are to demonstrate. Some of

these demonstrations may become violent. The courts have held that the proper response to potential and actual violence is for the government to ensure an adequate police presence and to arrest those who actually engage in such conduct, rather than to suppress legitimate First Amendment conduct as a prophylactic measure.

*Collins v. Jordan*, 110 F.3d 1363, 1372 (9th Cir. 1996) (citation omitted). Here, the actions of the Federal Defendants, or at least some of their officers, prevent, deter, or otherwise chill the constitutionally protected newsgathering, documenting, and observing work of journalists and authorized legal observers, who peacefully stand or walk on city streets and sidewalks during a protest. As further explained by the Ninth Circuit in *Collins*:

It has been clearly established since time immemorial that city streets and sidewalks are public fora. Restrictions on First Amendment activities in public fora are subject to a particularly high degree of scrutiny.

*Id.* at 1371 (citations and quotation marks omitted).

The Federal Defendants also argue that Plaintiffs are seeking special protections for journalists and legal observers under the First Amendment but that journalists and legal observers are entitled to no greater rights than those afforded to the public generally. In support, the Federal Defendants cite *Branzburg v. Hayes*, 408 U.S. 665, 680-82 (1972), which held that although the First Amendment protects news gathering, it does not provide a reporter's privilege against testifying before a grand jury. In that case, the Supreme Court noted: "It has generally been held that the First Amendment does not guarantee the press a constitutional right of special access to information not available to the public generally." *Id.* at 684; *see also Cal. First Amendment Coal. v. Calderon*, 150 F.3d 976, 981 (9th Cir. 1998) (same). The Federal

Defendants argue, in essence, that Plaintiffs' requested preliminary injunction violates the traditional "nondiscrimination" interpretation of the First Amendment's Press Clause.<sup>1</sup>

At first glance, one might think that the journalists and legal observers here are seeking protection against having to comply with an otherwise lawful order to disperse from city streets after a riot has been declared, when the public generally does not have that protection. When local law enforcement lawfully declares a riot and orders people to disperse from city streets, generally they must comply or risk arrest. The question of whether journalists have any greater rights than the public generally, however, is not actually presented in the pending motion for preliminary injunction. That is because the *Federal Defendants* are not asserting that *they* have the legal authority to declare a riot and order persons to disperse from the city streets in Portland; nor does the authority they cite for their presence and actions in Portland so provide.<sup>2</sup> It is only

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<sup>1</sup> This traditional interpretation may be undergoing a reevaluation. *See, e.g.*, Sonja R. West, *Favoring the Press*, 106 CAL. L. REV. 91, 94 (2018) ("The nondiscrimination view of the Press Clause is deeply flawed for the simple reason that the press is different and has always been recognized as such."). "Barring the government from recognizing the differences between press and non-press speakers threatens to undermine the vital role of the Fourth Estate." *Id.* (footnote omitted). "It is, therefore, entirely in keeping with the text, history, and spirit of the First Amendment's Press Clause for the government to, at times, treat press speakers differently." *Id.* at 95. "Rather than lump the press together with other speakers, the Supreme Court has historically done just the opposite." *Id.*

<sup>2</sup> The Federal Defendants cite 40 U.S.C. § 1315 and its implementing regulations. That statute authorizes DHS to "protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government." § 1315(a). The governing regulations prohibit, as relevant here: (1) disorderly conduct for persons "entering in or on Federal property," 41 C.F.R. § 102-74.390; (2) persons "entering in or on Federal property" from improperly disposing of rubbish on property, willfully damaging property, creating a hazard on property, or throwing articles at a building or climbing on any part of a building, 41 C.F.R. § 102-74.380; and (3) requiring that "[p]ersons in and on property" must obey "the lawful direction of federal police officers and other authorized individuals." 41 C.F.R. § 102-74.385. This latter regulation, although not specifically stating on "federal" property, has been construed as including this requirement, that the persons be on federal property. *See United States v. Baldwin*, 745 F.3d 1027, 1029 (10th Cir. 2014) (then-Circuit Judge, now Justice Gorsuch) ("The first says '[p]ersons in and on [Federal] property must at all times comply . . . with the lawful direction of Federal police officers and other authorized individuals.'" (alterations in original) (quoting 41

state and local law enforcement that may lawfully issue an order declaring a riot or unlawful assembly on city streets. That is simply part of a state or city’s traditional police power.

Here, Plaintiffs and the City have already *stipulated* to a preliminary injunction that provides that the Portland Police will not arrest any journalist or authorized legal observer for failing to obey a lawful order to disperse. Thus, the question of whether an otherwise peaceful and law-abiding journalist or authorized legal observer has a First Amendment right not to disperse when faced with a general dispersal order issued by state or local authorities does not arise in this motion.<sup>3</sup>

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C.F.R. § 102-74.385); *see also United States v. Estrada-Iglesias*, 425 F. Supp. 3d 1265, 1270 (D. Nev. 2019). Thus, 40 U.S.C. § 1315 and its regulations give federal officers broad authority *on federal property*. They do not, however, give federal officers broad authority *off federal property*. The authority granted off federal property is limited—to perform authorized duties “outside the property to the extent necessary to protect the property and persons on the property.” § 1315(b)(1). These authorized duties include enforcing federal laws (which as relevant here are laws limited to persons on federal property), making arrests if federal crimes are committed in the presence of an officer, and conducting investigations on and off the property for crimes against the property or persons on the property. § 1315(b)(2). None of these powers include declaring a riot or an unlawful assembly on the streets of Portland, closing the streets of Portland, or otherwise dispersing people off the streets of Portland (versus dispersing people off federal property).

The Federal Defendants appear to acknowledge this limitation in their powers. DHS Operation Diligent Valor commander Gabriel Russell states in his declaration that in response to violent protests, Federal Protective Services (“FPS”) officers warned protesters to “stay off federal property,” used tear gas to “push protesters back from the [federal] courthouse,” contacted the PPB who were about to declare an unlawful assembly, the Portland Police “arrived and closed all roads in the vicinity of the facilities[,] . . . declared an unlawful assembly and began making arrests for failure to disperse,” and the FPS only “made dispersal orders on federal property and cleared persons refusing to comply with these orders.” ECF 67-1 at 2. He also testified at deposition that generally FPS does not have authority to enforce a dispersal order against an unlawful assembly on Fourth Street, one block from the federal courthouse. ECF 136-1 at 22 (63:12-18). The Federal Defendants also cite to statutes and regulations that authorize the USMS to protect federal courthouses and other federal property, including 28 U.S.C. § 566(a), 28 U.S.C. § 566(i), 28 C.F.R. § 0.111(f). As with the statutes and regulations governing DHS’s authority, these authorities focus on federal property, not on city streets or state or local property.

<sup>3</sup> Someday, a court may need to decide whether the First Amendment protects journalists and authorized legal observers, as distinct from the public generally, from having to comply with

Plaintiffs and the Federal Defendants have stipulated that an evidentiary hearing with live witness testimony is unnecessary and that the Court may base its decision on the written record and oral argument of counsel. For the reasons that follow, the Court GRANTS Plaintiffs' motion for preliminary injunction against the Federal Defendants.

### STANDARDS

A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Winter v. Nat. Res. Defense Council, Inc.*, 555 U.S. 7, 22 (2008). A plaintiff seeking a preliminary injunction generally must show that: (1) he or she is likely to succeed on the merits; (2) he or she is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in his or her favor; and (4) that an injunction is in the public interest. *Id.* at 20 (rejecting the Ninth Circuit’s earlier rule that the mere “possibility” of irreparable harm, as opposed to its likelihood, was sufficient, in some circumstances, to justify a preliminary injunction).

The Supreme Court’s decision in *Winter*, however, did not disturb the Ninth Circuit’s alternative “serious questions” test. *See All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-32 (9th Cir. 2011). Under this test, “‘serious questions going to the merits’ and a hardship balance that tips sharply toward the plaintiff can support issuance of an injunction, assuming the other two elements of the *Winter* test are also met.” *Id.* at 1132. Thus, a preliminary injunction may be granted “if there is a likelihood of irreparable injury to plaintiff; there are serious questions going to the merits; the balance of hardships tips sharply in favor of the plaintiff; and the injunction is in the public interest.” *M.R. v. Dreyfus*, 697 F.3d 706, 725 (9th Cir. 2012).

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an otherwise lawful order to disperse from city streets when journalists and legal observers seek to observe, document, and report the conduct of law enforcement personnel; but today is not that day.



## **BACKGROUND**

### **A. Procedural History**

Plaintiffs filed their original Complaint against the City on June 28, 2020. On June 30th, Plaintiffs moved for a TRO. On July 2nd, the Court entered a TRO against the City. On July 14th, Plaintiffs moved to file a Second Amended Complaint (“SAC”), adding the Federal Defendants to this lawsuit. On July 16th, the Court entered a stipulated preliminary injunction against the City. On July 17th, the Court granted Plaintiffs’ motion to file the SAC. Later that day, Plaintiffs filed their SAC and moved for a TRO against the Federal Defendants, which the City supported shortly thereafter. On July 23rd, the Court granted Plaintiffs’ motion for a TRO against the Federal Defendants, including many of the same terms contained in the TRO and stipulated preliminary injunction entered against the City. The TRO against the Federal Defendants was set to expire by its own terms on August 6th. On July 28th, Plaintiffs moved for a finding of contempt and imposition of sanctions against the Federal Defendants, alleging several violations of the Court’s TRO. On July 30th the Federal Defendants moved for reconsideration of the TRO, requesting that it be dissolved. On July 31st the Court stayed briefing on Plaintiffs’ contempt motion. On August 4th, Plaintiffs moved to extend the TRO against the Federal Defendants for an additional 14 days. On August 6th, after finding good cause, the Court granted Plaintiffs’ motion and extended the TRO against the Federal Defendants through August 20th and denied the Federal Defendants’ motion for reconsideration.

### **B. Plaintiffs**

Plaintiff Index Newspapers LLC doing business as Portland Mercury (“Portland Mercury”) is an alternative bi-weekly newspaper and media company. It was founded in 2000 and is based in Portland, Oregon. ECF 53, ¶ 21.

Plaintiff Doug Brown has attended many protests in Portland, first as a journalist with the *Portland Mercury* and later as a volunteer legal observer with the ACLU. He has attended the George Floyd protests on several nights, wearing a blue vest issued by the ACLU that clearly identifies him as a legal observer, for the purpose of documenting police interactions with protesters. ECF 9, ¶¶ 1-2; ECF 53, ¶¶ 22, 97; ECF 55, ¶ 2.

Plaintiff Brian Conley has been a journalist for twenty years and has trained journalists in video production across a dozen countries internationally. He founded Small World News, a documentary and media company dedicated to providing tools to journalists and citizens around the world to tell their own stories. ECF 53, ¶ 131.

Plaintiff Sam Gehrke has been a journalist for four years. He previously was on the staff of the *Willamette Week* as a contractor. He is now a freelance journalist. His work has been published in *Pitchfork*, *Rolling Stone*, *Vortex Music*, and *Eleven PDX*, a Portland music magazine. He has attended the protests in Portland for the purpose of documenting and reporting on them, and he wears a press pass from the *Willamette Week*. ECF 10, ¶¶ 1-3; ECF 53, ¶ 23.

Plaintiff Mathieu Lewis-Rolland is a freelance photographer and photojournalist who has covered the ongoing Portland protests. He has been a freelance photographer and photojournalist for three years and is a contributor to *Eleven PDX* and listed on its masthead. After the Court issued its TRO directed against the City, he began wearing a shirt that said “PRESS” in block letters on both sides. He also wears a helmet that says “PRESS” on several sides, and placed reflective tape on his camera and wrist bands. ECF 12, ¶¶ 1-2; ECF 53 ¶ 24; ECF 77, ¶ 1, 3.

Plaintiff Kat Mahoney is an independent attorney and unpaid legal observer. She has attended the Portland protests nearly every night for the purpose of documenting police

interactions with protesters. She wears a blue vest issued by the ACLU that clearly identifies her as an “ACLU LEGAL OBSERVER.” ECF 26, ¶ 3; ECF 75, ¶¶ 1-2.

Plaintiff Sergio Olmos has been a journalist since 2014, when he began covering protests in Hong Kong. He has worked for *InvestigateWest* and *Underscore Media Collaboration*, and as a freelancer. His work has been published in the *Portland Tribune*, *Willamette Week*, *Reveal: The Center for Investigative Reporting*, *Crosscut*, *The Columbian*, and *InvestigateWest*. He has attended the protests in Portland as a freelance journalist for the purpose of documenting and reporting on them. He wears a press badge and a Kevlar vest that says “PRESS” on both sides. He carries several cameras, including a film camera, in part so that it is unmistakable that he is present in a journalistic capacity as a member of the press. ECF 15, ¶¶ 1-3; ECF 53, ¶ 26.

Plaintiff John Rudoff is a photojournalist. His work has been published internationally, including reporting on the Syrian refugee crises, the “Unite the Right” events in Charlottesville, Virginia, the Paris “Yellow Vest” protests, and the Rohingya Genocide. He has attended the protests in Portland during the past two months for the purpose of documenting and reporting on them. Since this lawsuit began, he has been published in *Rolling Stone*, *The Nation*, and on the front page of the *New York Times*. While attending the Portland protests, he carries and displays around his neck press identification from the National Press Photographers Association, of which he has been a member for approximately ten years. He also wears a helmet and vest that is clearly marked “PRESS.” ECF 17, ¶¶ 1-3; ECF 53, ¶ 27; ECF 59, ¶¶ 1, 3.

Plaintiff Alex Milan Tracy is a journalist with a master’s degree in photojournalism. His photographs have been published by CNN, ABC, CBS, *People Magazine*, *Mother Jones*, and *Slate*, among others. He has covered many of the recent protests in Portland over George Floyd

and police brutality. He carries a press badge and three cameras, and wears a helmet that is marked “PRESS” on the front and back. ECF 60, ¶¶ 1, 3.

Plaintiff Tuck Woodstock has been a journalist for seven years. Their work has been published in the *Washington Post*, *NPR*, *Portland Monthly*, *Travel Portland*, and the *Portland Mercury*. They have attended the George Floyd protests several times as a freelancer for the *Portland Mercury* and more times as an independent journalist. When they attended these protests, they wear a press pass from the *Portland Mercury* that states “MEDIA” in large block letters and a helmet that is marked “PRESS” on three sides. At all times during police-ordered dispersals, they hold a media badge over their head. ECF 23, ¶¶ 2-3; ECF 76, ¶¶ 1, 3.

Plaintiff Justin Yau is a student at the University of Portland studying communications with a focus on journalism. He previously served in the U.S. Army, where he was deployed to the Middle East. He has covered protests in Hong Kong and Portland. His work has been published in the *Daily Mail*, *Reuters*, *Yahoo! News*, *The Sun*, *Spectee* (a Japanese news outlet), and *msn.com*. He has attended the protests in Portland as a freelance and independent journalist for the purpose of documenting and reporting on them. He wears a neon yellow vest marked with reflective tape and a helmet that are marked “PRESS,” and carries his press pass around his neck. He carries a large camera, a camera gimbal (a device that allows a camera to smoothly rotate), and his cellphone for recording. ECF 56, ¶¶ 1-3.

### **C. Plaintiffs’ Alleged Harm**

Plaintiffs and other declarants have provided numerous declarations describing events in which they assert that employees, agents, or officers of the Federal Defendants targeted journalists and legal observers and interfered with their ability to engage in First Amendment-protected activities. As discussed below, Plaintiffs provide many compelling examples in the record, some from before the Court entered the TRO against the Federal Defendants and some

after. The following are just several examples selected by the Court from the extensive evidence provided by Plaintiffs. There are more.

### **1. Before the TRO was Issued**

On July 15, 2020, Plaintiff Justin Yau asserts that, while carrying photojournalist gear and wearing reflective, professional-looking clothing clearly identifying him as press, he was targeted by a federal agent and had a tear gas canister shot directly at him. ECF 56, ¶¶ 3-6. Two burning fragments of the canister hit him. *Id.* ¶ 6. At the time he was fired upon, he was taking pictures with his camera and recording with his cell phone while standing 40 feet away from protesters to make it clear that he was not part of the protests. *Id.* ¶ 5. Mr. Yau notes that from his experience covering protests in Hong Kong, “Even Hong Kong police, however, were generally conscientious about differentiating between press and protesters—as opposed to police and federal agents in Portland.” *Id.* ¶ 7.

Declarant Noah Berger has been a photojournalist for more than 25 years. ECF 72, ¶ 1. He has been published nationally and internationally, including for coverage of protests in San Francisco and Oakland. *Id.* On July 19, 2020, he covered the protests on assignment for the Associated Press. He notes that the response he has seen and documented from the federal agents in Portland is markedly different from even the most explosive protests he has covered. *Id.* ¶ 3. He carries two large professional cameras and two press passes. *Id.* He states that without any warning he was shot twice by federal agents using less lethal munitions. *Id.* ¶ 4. Later, as federal agents “rushed” an area he was photographing, he held up his press pass, identified himself as press, stated he was leaving, and moved away from the area. *Id.* ¶ 7. While holding his press pass and identifying himself as press, he was hit with a baton by one federal agent. *Id.* ¶ 8. Two others joined and surrounded him, and he was hit with batons three or four times. *Id.* One agent then deployed pepper spray against Mr. Berger from about one foot away. *Id.* ¶ 9. He was given no

warning. *Id.* ¶ 11. He states that he was not demonstrating or protesting, was leaving the area, and was clearly acting as a journalist. *Id.* ¶¶ 3, 11.

Late July 19th or early July 20th, Declarant Nathan Howard, a photojournalist who has been published in *Willamette Week*, *Mother Jones*, Bloomberg Images, Reuters, and the Associated Press, was covering the Portland protests. ECF 58, ¶¶ 1, 4. He was standing by other journalists, and no protesters, as federal agents went by. *Id.* ¶ 4. The nearest protester was a block away. *Id.* Mr. Howard held up his press pass and repeatedly identified himself as press. *Id.* ¶ 5. A federal agent stated words to the effect of “okay, okay, stay where you are, don’t come closer.” *Id.* ¶ 6. Mr. Howard states that another federal agent, who was standing immediately to the left of the agent who gave Mr. Howard the “okay,” aimed directly at Mr. Howard and fired at least two pepper balls at him at close range. *Id.* ¶ 7.

Declarant Jungho Kim is a photojournalist whose work has been published in the *San Francisco Chronicle* and *CalMatters*, among others. ECF 62, ¶ 1. He wears a neon yellow vest marked “PRESS” and a white helmet marked “PRESS” in the front and rear. *Id.* ¶ 2. He has covered protests in Hong Kong and California. He has experience with staying out of the way of officers and with distinguishing himself from a protester, such as by not chanting or participating in protest activity. *Id.* ¶ 3. He had never been shot at by authorities until covering the Portland protests on July 19, 2020. *Id.* During the protest, federal agents pushed protesters away from the area where Mr. Kim was recording. He was around 30 feet away from federal agents, standing still, taking pictures, with no one around him. *Id.* ¶¶ 5-7. He asserts that suddenly and without warning, he was shot in the chest just below his heart with a less lethal munition. *Id.* ¶ 7. Because he was wearing a ballistic vest, he was uninjured. He also witnessed, and photographed, federal agents firing munitions into a group of press and legal observers. *Id.* ¶ 9.

Declarant Nate Haberman-Ducey is a law student at Lewis and Clark Law School.

ECF 61, ¶ 1. He completed training with the National Lawyers Guild (“NLG”) and attended the protests several times as a legal observer. *Id.* He states that on July 19, 2020, while wearing his green, NLG-issued authorized legal observer hat, he was shot in the hand with a paint-marking round by a federal agent, while walking his bicycle through the park across from the federal courthouse. *Id.* ¶¶ 3-4. At the time, there were no other protestors or other people around Mr. Haberman-Ducey at whom the federal agent might have been aiming. *Id.* ¶ 5. The pain from injury to Mr. Haberman-Ducey’s right hand was so severe that he had to stop observing the protests and go to the emergency room, where doctors put his broken hand in a splint. *Id.* ¶¶ 7-8. He would like to keep observing the protests but is concerned that residue from tear gas fired by the federal agents will contaminate his splint, which he has to wear for four to six weeks. *Id.* ¶ 9.

Declarant Amy Katz is a photojournalist whose work has been published in the *Wall Street Journal*, the *New York Daily News*, the *Guardian*, *TIME*, *Mother Jones*, the *Independent*, the *New York Times*, and has been featured on Good Morning America and ABC News.

ECF 117, ¶ 1. While covering the protests, she wears a hat and tank top marked with “PRESS” in bold letters and carries a camera with a telephoto lens. *Id.* ¶ 2. Early in the morning of July 21st, she was filming from the side while federal agents dispersed protestors. *Id.* ¶ 4-6. Several agents tried to disperse her, but she displayed her press pass and they left her alone. *Id.* ¶ 6. She asserts that a federal agent approached and motioned for her to disperse again a few minutes later. *Id.* ¶ 7. Ms. Katz again held up her press pass, but before she could process what was happening another agent fired pepper balls or similar munitions at her. *Id.* The first agent then dropped a tear gas grenade directly at her feet as Ms. Katz ran away, yelling that she was press. *Id.* She notes that there were no protestors the agents could have been aiming at because the protestors

had already dispersed. *Id.* ¶ 8. The effects of the tear gas forced her to stop reporting and return to her hotel. *Id.* ¶ 9. The next day her eyes and lips burned, sunlight hurt her eyes, her tongue was swollen, and she had diarrhea. *Id.*

Declarant Sarah Jeong is an attorney, a columnist for *The Verge*, and a contributing writer to the *New York Times* Opinion section. ECF 116, ¶ 1. She attended the protests solely as a journalist, wore her press badge, and wore a helmet with “PRESS” in black letters on a white background on three sides. *Id.* ¶ 4. On the night of July 21st, Ms. Jeong was covering the protests from the steps of the courthouse when federal agents emerged from the building and charged the crowd. *Id.* ¶ 5. Ms. Jeong walked slowly backward, holding her press pass up in one hand and her phone in the other. *Id.* ¶ 6. With no warning and for no apparent reason, a federal agent shoved Ms. Jeong so forcefully that both her feet left the ground. *Id.* ¶ 7. She kept reporting that night but left much earlier than she had planned. *Id.* ¶ 8. Although she plans to keep covering the protests, she is fearful for her safety. *Id.*

Declarant James Comstock is a legal observer with the NLG. ECF 63, ¶ 1. On July 19th, a few minutes before midnight, he was watching the protests from the park across the street from the protests. *Id.* ¶ 2-3. He was wearing the standard NLG-issued green hat provided to legal observers. *Id.* ¶ 2. As protestors started to push the fence, he put on his gas mask and started to move away from the courthouse because he did not want to get tear gassed. *Id.* ¶ 3. He stopped on the opposite side of 4th Avenue, about 375 feet away from the front door of the courthouse. *Id.* He went to speak to a press member standing on the intersection of SW 4th and Main. *Id.* ¶ 4. After finishing his conversation with the press member, Mr. Comstock was standing in the same location alone with his back up against the wall. *Id.* Without warning, a federal agent shot Mr. Comstock in the hand with an impact munition while he was making notes on his phone. *Id.* ¶ 5.



There were no protestors around and he was at least 6 feet from the reporter with whom he had just been speaking. *Id.* ¶ 6. Mr. Comstock states that he would like to keep attending the protests as a legal observer but that he is afraid of injury and fearful that he will be wrongfully arrested, endangering his job as a criminal defense investigator. *Id.* ¶¶ 8-9.

Early morning on July 22nd, Plaintiff Alex Milan Tracy was standing in the street and filming a group of federal officers who were standing on the sidewalk in front of the courthouse. ECF 74, *Id.* ¶ 4. Two of the officers from that group waved their batons at him and gestured for him to move back. *Id.* He retreated, and one of the officers briefly charged at him. Mr. Tracy then moved back farther into the middle of the street. *Id.* A few minutes later, he was filming the same group of federal officers from the same spot in the middle of the street. *Id.* ¶ 6. Agents from that same group raised their weapons and launched a flashbang at Mr. Tracy and another journalist, hitting them both. *Id.* ¶ 7. Mr. Tracy continued documenting the scene but finally left because the federal officers kept looking and pointing directly at him. *Id.* ¶¶ 7, 10. He was “genuinely terrified” of standing in front of the federal officers. *Id.* ¶ 10.

## **2. After the TRO was Issued**

Plaintiff Brian Conley has worked in war zones such as Iraq, Afghanistan, Libya, and Burundi. ECF 87, ¶ 1. He also has covered protests for many years in places such as Beijing, New York, Washington, D.C., Miami, Quebec City, and Oaxaca, Mexico. *Id.* He has encountered agents of the Federal Defendants in Portland on multiple days. At all times he was wearing a photographer’s vest with “PRESS” written on it and a helmet that said “PRESS” in large block letters across the front. *Id.* ¶ 2. He was also carrying a large camera with an attached LED light and telephoto lens. *Id.*

Early in the morning of July 24th, Mr. Conley filmed federal agents seizing a woman who was dancing with flowers in front of the officers. *Id.* ¶ 3-4. At that point, the crowd was

mostly press and a few individual protestors. *Id.* ¶ 3. Federal agents launched tear gas into the streets, and Mr. Conley yelled that he was press to avoid being further tear gassed. *Id.* ¶ 6. Mr. Conley was then shot with impact munitions in the chest and foot. *Id.* ¶ 7. Video of this event shows that the situation grew tense as a protester attempted to interfere with the agents' seizure of the woman. As the agents finalized the seizure of the woman and the interfering protester and retreated into the federal courthouse with the woman and the interfering protester, they laid sweeping cover fire into the remaining crowd, which included Mr. Conley and other press members, even though no protester was near Mr. Conley at the time. After the officers were safely within the building, Mr. Conley continued recording. The video shows that Mr. Conley was outside next to another photographer. A medic and his protector were behind a shield on one side several yards away and a protester yelling taunts was on the other side several yards away. As Mr. Conley was filming, a federal agent on the other side of the courthouse fence shone a bright light at Mr. Conley. Shortly thereafter, without warning, a federal agent shot a tear gas canister above Mr. Conley's head. Mr. Conley also describes this in his declaration. *Id.* ¶ 9.

Mr. Conley took the next two nights off and returned to cover the protests the night of July 27th. *Id.* ¶¶ 17, 18. He was documenting a line of federal agents advancing on a group of six protestors with shields who were standing behind him. *Id.* ¶ 18. He yelled that he was press, but the federal agents unleashed a barrage of munitions at him. *Id.* ¶ 19. He moved to the side, away from the protestors, and continued to yell that he was press. *Id.* ¶ 20. The federal agents briefly stopped firing, one shone a flashlight at him, and resumed fire directly at him, striking him multiple times—although by this point there was nobody else near him. *Id.* Another federal agent threw a flashbang grenade directly at him. *Id.* Mr. Conley could “barely walk” after the events of July 27-28. *Id.* ¶ 25.

Mr. Conley was covering the protests again just before midnight on July 29th. ECF 115, ¶ 4. He had replaced the “PRESS” lettering on his helmet because the concussion and flashbang grenades thrown at him the night before had blown off one of the letters. *Id.* ¶ 2. He was filming federal agents on SW Salmon Street between SW 2nd and SW 3rd Avenue. *Id.* ¶ 4. There was one other photographer between him and the small group of agents. *Id.* One of the agents shone a light on Mr. Conley and fired a munition just beside him. *Id.* Another federal agent with an assault rifle approached Mr. Conley and told him to stay on the sidewalk. *Id.* ¶ 5. Later that night, without warning, federal agents pepper sprayed Mr. Conley at point blank range. *Id.* ¶ 6. Video of this event shows that while Mr. Conley was filming a line of federal officers moving down the street pepper spraying peaceful protesters, including spraying a woman in the face at point blank range who was on her knees with her hands up in the middle of the street, an officer pepper sprayed Mr. Conley at point blank range along with indiscriminately pepper spraying other press and the protesters. Mr. Conley states that he fears for his safety but plans to keep covering the protests because he believes “it is critically important to do so.” *Id.* ¶ 11.

Declarant Amy Katz again covered the protests on the early morning of July 27th. ECF 117, ¶ 10. She witnessed a federal agent push a man down a flight of stairs while arresting him and photographed the incident. *Id.* An agent physically blocked her and tried to stop her from photographing the arrest. *Id.* When she stepped to the side to get another angle, the federal agent physically shoved her away. *Id.* Later that night, she approached a group of federal officers with a group of press, all of whom had their press badges up and their hands in the air. *Id.* ¶ 12. The video of this event shows that many of the group were calling out “press.” Ms. Katz describes that she and the group of press were at least 75 feet away from most of the protestors when federal agents bombarded their group with munitions, hitting her in the side and causing a

large contusion. *Id.* The video shows the group of press moving together off to the far side of the sidewalk, holding their passes up along with cameras, shouting press and saying “hold your passes up.” The group is moving toward the federal officers, recording events, when they are fired upon with various munitions. Ms. Katz stopped covering the Portland protests after that incident because of how the federal agents treated her. *Id.* ¶ 15.

Declarant Rebecca Ellis is a staff reporter for Oregon Public Broadcasting (“OPB”). ECF 88, ¶ 1. She attended the protests the night of July 23rd wearing her OPB press pass, which shows her name, her photograph, and the OPB logo. *Id.* ¶ 2-3. Around 1:30 a.m. she was in a small group of press members filming federal agents exiting the federal courthouse. *Id.* ¶ 3. One agent fired a munition directly at her, hitting her in the hand. *Id.* Video of this incident shows that she is hit when agents advance in a group and fire multiple munitions. Ms. Ellis appears to be in the middle of the street when she is hit. There are also persons crossing in front of Ms. Ellis, who appear also to be press, at the time she is shot. It is unclear who is behind her when she is hit. Ten minutes later, however, federal agents forced her and other press to disperse from near the courthouse. *Id.* ¶ 5. One agent walked towards them shouting “MOVE, MOVE” and “WALK FASTER” in their faces while another agent kept pace next to him, holding his gun. *Id.* Video of this dispersal shows that it is directed at press, in an intimidating manner, despite a press person stating, “You can’t do that.” The video does not seem to support that the press were in the way or otherwise impeding law enforcement actions. Ms. Ellis states that the federal agents prevented her from doing her job and reporting on what was going on behind them. She intends to keep covering the protests but is fearful for her safety. *Id.* ¶ 6.

Declarant Kathryn Elsesser is a freelance photographer whose photographs of the Portland protests have been published by Bloomberg, CBS News, and Yahoo, among others,

including many international publications. ECF 89, ¶ 1. She covered the protests the night of July 24th on assignment from a French news agency. *Id.* ¶ 2. She carried a large camera, wore a press pass from the American Society of Media Photographers, and wore a helmet with “PRESS” written in big letters across the front. *Id.* Around 2 a.m. on July 25th, Ms. Elsesser decided to end her coverage early because she did not have a bullet-proof vest and was afraid federal agents would hurt her. *Id.* ¶ 4. She was standing by herself, across the street from the courthouse, at the edge of the park. *Id.* There was nobody else near her. *Id.* A federal agent shot her in the arm with an impact munition as she was walking away. *Id.* ¶ 5. She believes that the federal agents targeted her because she was taking photographs. *Id.* ¶ 6. Ms. Elsesser states that she would refuse to cover the protests again unless she had a bullet-proof vest because she is afraid that federal agents will injure her or worse. *Id.* ¶ 13.

Declarant Emily Molli is a freelance photojournalist whose photographs have been published in the *New York Times*, the *Wall Street Journal*, the *Guardian*, *ProPublica*, and others. ECF 118, ¶ 1. She is experienced in covering civil unrest, riots, and other dangerous situations. She has reported on the protests in Hong Kong over the course of six months, the “Yellow Vests” in France over the course of a year, the Catalan independence movement, and the protests and riots in Greece. *Id.* ¶ 2. She understands the risk of getting hit by less lethal munitions while standing with protesters, but she objects to federal officers targeting press, which she states she has witnessed happening in Portland. *Id.* She wears a helmet with “PRESS” in big block letters and carries two press passes and a large professional-grade video camera. *Id.* ¶ 3. Early in the morning of July 27, 2020, after getting shot and injured when she had been approximately 75 yards from protesters, Ms. Molli decided to stick with a group of only journalists. *Id.* ¶¶ 7-8. The video of this event shows that they were holding their press passes up, mostly staying together as

a group, and staying toward the side of a street that appears otherwise empty. Federal officers fired munitions at the group of journalists. *Id.* ¶ 8. On July 29, 2020 and into the early morning of July 30th, Ms. Molli recorded another encounter between journalists and federal officers on SW Main Street. *Id.* ¶ 10. Video of this event shows that there were numerous law enforcement personnel, several journalists, and no protesters on that section of the street. Journalists are taking pictures and video of a tear gas canister that had been fired by federal agents when a federal agent fires another tear gas round at the journalists. Ms. Molli intends to keep covering the protests, but she fears for her safety because she has seen the federal agents disobey a court order. *Id.* ¶ 11.

Declarant Daniel Hollis is a videographer for VICE News. ECF 91, ¶ 1. He has covered many chaotic and dangerous situations, including conflict zones in Iraq and Syria, former Taliban areas in Pakistan, child sex-trafficking raids in the Philippines, Iranian militias, gangs, mafia, domestic terrorism, and armed militias. *Id.* He covered the Portland protests for two nights. *Id.* ¶ 2. During the protests, he carried a VICE press pass and a helmet with “PRESS” on it in bright orange tape. *Id.* He also carried a large, professional video-recording camera. *Id.* On July 26th, Mr. Hollis was filming wide-angle footage of a mass of protestors in front of the courthouse. *Id.* ¶ 4. The people closest to him were press and legal observers—the nearest protestors were several yards behind him. *Id.* ¶ 7. He then turned to record a group of federal agents massed outside the courthouse. *Id.* ¶ 5. Almost immediately, the agents shot at him, striking him just to the left of his groin. *Id.* He turned to run away, and another munition hit him in the lower back. *Id.* ¶ 6. Video of this event shows that Mr. Hollis was positioned between the federal agents and those few protesters (not the mass of protesters who were around the building), but the video does not reflect any violent or riotous behavior by anyone near Mr.

Hollis. After the federal agents shot him, Mr. Hollis went back to his hotel. *Id.* ¶ 8. He states that he is more concerned for his personal safety than he was during the month he spent covering ISIS sleeper cells in Northern Syria. *Id.* ¶ 9. He states: “I have been around heavily armed soldiers, militias, and gangs countless times, but have never had weapons aimed or discharged directly at me. The federal agents I have seen in Portland have been less willing to distinguish between press and putative enemies than any armed combatants I have seen elsewhere.” *Id.*

Declarant Jonathan Levinson is an Oregon resident who lives in Portland. ECF 93, ¶ 1. He is a staff reporter for OPB. His work also has appeared on NPR and ESPN, and in the *Washington Post*, the *Wall Street Journal*, and *Al Jazeera*. *Id.* He has experience in conflict zones. He spent five years as an infantry officer in the U.S. Army, with two deployments to Iraq. *Id.* ¶ 2. As a reporter, he has covered the Libyan civil war and done work in Afghanistan, Yemen, Gaza, and the West Bank. *Id.* He has covered the Portland protests for a majority of the nights. When covering the protests, he wears his press pass issued by OPB, which contains his name, photograph, the OPB logo, and the word “MEDIA.” *Id.* ¶ 3. He also wears a helmet that says “PRESS” in large letters on the front and back and carries two professional cameras. *Id.* At around 1:00 a.m. on July 24th, the federal agents had cleared the area next to the courthouse so he decided to take pictures of the agents through the courthouse fence. *Id.* ¶ 4. There were very few protesters anywhere nearby. As he was trying to focus his professional camera, he could see a federal agent raise and aim his weapon and fire several rounds directly at Mr. Levinson. *Id.* ¶ 5. His camera and lens were covered in paint from the agent’s rounds. Mr. Levinson states that he intends to continue covering the protests because he believes they are of historic significance, but that he is fearful for his safety because within hours of the Court issuing its restraining order, he “saw federal agents brazenly violate it.” *Id.* ¶ 7.

#### **D. Declarations of Plaintiffs' Expert Witness Gil Kerlikowske<sup>4</sup>**

Plaintiffs submitted two declarations from Mr. Gil Kerlikowske, whom the Court finds to be a qualified, credible, and persuasive expert witness. ECF 135, 145. Mr. Kerlikowske is a former Commissioner of U.S. Customs and Border Protection, and he was confirmed by the U.S. Senate. Mr. Kerlikowske also served as the Chief of Police in Seattle, Washington from 2000 through 2009, and the Police Commissioner in Buffalo, New York. He has worked in law enforcement for 47 years. He served in the United States Army and Military Police from 1970 through 1972, where he began training in crowd control, riots, and civil disturbances. He also has served as the Director of the Office of National Drug Control Policy and as Deputy Director of the U.S. Department of Justice, Office of Community Oriented Policing Services. He has been an IOP Fellow at Harvard Kennedy School of Government and teaches as a distinguished visiting fellow and professor of the Practice in Criminology and Criminal Justice at Northeastern University. During his tenure as Chief of Police in Seattle, Mr. Kerlikowske led and orchestrated the policing of hundreds of large and potentially volatile protests, many of which were considerably larger than the recent protests in Portland. He did the same thing when he was Police Commissioner in Buffalo. Mr. Kerlikowske has had substantial training and experience with crowd control and civil unrest in the context of protests, use of force in that context, and use of force generally.

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<sup>4</sup> After oral argument, the Federal Defendants filed the Declaration of Chris A. Bishop, the "Acting Director/Deputy Director," for the U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP). ECF 152. The Federal Defendants offer this declaration as an expert rebuttal to the two declarations of Mr. Kerlikowske. Plaintiffs have moved to strike Mr. Bishop's declaration as untimely. ECF 154. The Court denies Plaintiffs' motion to strike. The Court finds the declaration of Mr. Kerlikowske to be more persuasive than the declaration of Mr. Bishop.



Plaintiffs asked Mr. Kerlikowske to evaluate whether the relief stated in the TRO against the Federal Defendants is both safe and workable from a law enforcement perspective, whether the force that federal authorities used against journalists and legal observer complainants was reasonable, and whether it is advisable to prominently mark federal agents with unique identifying letters or numbers. First, Mr. Kerlikowske opined that the prohibitions contained in the TRO are safe for law enforcement personnel. Defending the federal courthouse in Portland mainly involves establishing a perimeter around the building, and there is no reason to target or disperse journalists from that position. Additionally, to the extent officers leave federal property, the TRO is also safe for federal law enforcement officers, according to Mr. Kerlikowske.

Second, Mr. Kerlikowske stated his expert opinion that the TRO is workable. He states that trained and experienced law enforcement personnel are able to protect public safety without dispersing journalists and legal observers and can differentiate press from protesters, even in the heat of crowd control. He adds that any difficulties that may be faced by federal authorities arise from their lack of training, experience, and leadership with experience in civil disturbances and unrest.

Third, Mr. Kerlikowske explains that based on his review of the record evidence virtually all the injuries suffered by the complaining journalists were the result of improper use of force, including shooting people who were not engaged in threatening acts and misuse of crowd-control munitions by federal law enforcement personnel. For example, Mr. Kerlikowske opines that tear gas canisters and pepper balls should not be fired directly at people. He also opines that rubber bullets should not be shot above the waist, and certainly not near the head. He further opines that in these circumstances, it is inappropriate to shoot someone in the back because at that point they are not a threat.

Finally, Mr. Kerlikowske asserts that in his expert opinion a key duty and responsibility of law enforcement is to be properly and easily identifiable specific to the organization and the individual. He notes that if a decision is made to remove a name tag, it must be replaced with some other identifying label, badge, or shield number. Mr. Kerlikowske explains that such markings increase accountability and act as a check and deterrent against misconduct. He adds that camouflage uniforms are inappropriate for urban settings.

As noted, the Court finds Mr. Kerlikowske to be a well-qualified expert whose opinions are relevant, helpful, and persuasive.

#### **E. The Situation Faced by Law Enforcement**

After the killing of George Floyd on Memorial Day, there have been consistent protests against racial injustice and police brutality in Portland. ECF 67-1, Russell Decl. ¶ 3. The protesters generally are peaceful, particularly during the day and early evening. *See* ECF 113-3, Jones Decl. ¶ 7. Late at night, however, there are incidents of vandalism, destruction of property, looting, arson, and assault. ECF 67-1, ¶ 3. While protestors originally gathered outside the Justice Center (PPB headquarters), some protestors soon directed their attention to the Mark O. Hatfield Federal Courthouse, across the street from the Justice Center. After additional federal officers were deployed to Portland to support existing Federal Protective Service (“FPS”) and USMS personnel, the protests grew larger and more intense, and the federal courthouse became a focus of attention. *Id.* at ¶ 5.

In early July, a group of people broke the glass doors at the entryway of the federal courthouse. *Id.* Members of this group used accelerant and commercial fireworks in an apparent attempt to start a fire inside the courthouse. *Id.* On other nights in July, various objects were thrown at law enforcement, such as rocks, glass bottles, and frozen water bottles. *Id.* at ¶ 6; ECF 101-6, CBP NZ-1 Decl. ¶ 8. Assistant Director for the Tactical Operations Division of the

USMS Andrew Smith describes the environment of the protests as “extremely chaotic and dynamic” and emphasizes that law enforcement must make split-second decisions. ECF 101-1, Smith Decl., ¶ 6. A DHS Public Affairs Specialist identified as CBP PAO #1 states that he observed a person holding a Molotov cocktail. ECF 101-2, ¶ 7. Officers have had to extinguish fires and flaming debris, some of which has been thrown over the fence in officers’ direction. *See* ECF 106-1, Smith Am. Decl. ¶ 15; ECF 101-3, FPS No. 824 Decl. ¶ 5.

The situation has been dangerous for federal agents, in addition to protesters, journalists, and legal observers. Gabriel Russell, FPS Regional Director for Region 10 and commander of DHS’s Rapid Deployment force for Operation Diligent Valor in Portland, notes that as of his declaration submitted on July 29th, 120 federal officers had experienced some kind of injury, including broken bones, hearing damage, eye damage, a dislocated shoulder, sprains, strains and contusions. ECF 101-5, ¶ 4. The Patrol Agent in Charge of Customs and Border Protection, U.S. Border Patrol, identified as CBP NZ-1, describes agents being hit with rocks and ball bearings from sling shots, improvised explosives, commercial grade aerial fireworks, high intensity lasers targeting officer’s eyes, thrown rocks, full and empty glass bottles, frozen water bottles, and balloons filled with paint and feces. ECF 101-6, ¶ 8. He notes that one officer was hit by a projectile that caused a wound that required multiple stitches and one officer was struck in the head and shoulder by a protester wielding a sledgehammer when the officer tried to prevent the protester from breaking down the courthouse door. *Id.* Another federal officer states that he has suffered numerous injuries during the protests, including being struck in the shins by tear gas canisters, suffering temporary hearing loss from commercial fireworks, and suffering temporary blindness from lasers. ECF 101-3, FPS No. 824 Decl. ¶ 6. The Federal Defendants do not assert

that journalists or legal observers caused these injuries. *See, e.g.*, ECF 136-3 at 10-11, CBP NZ-1 Dep. Tr. 72:10-73:1.

The Federal Defendants, however, do assert that some persons wearing the indicia of press have engaged in violent or unlawful behavior. Mr. Smith states that USMS personnel witnessed a person with a helmet marked “press” use a grinder to attempt to breach the fence surrounding the courthouse. ECF 106-1, ¶ 10. Another person wearing a press helmet entered courthouse property, either by climbing the perimeter fence or crossing when the fence was breached. *Id.* ¶ 11. A different person with press clothing helped a protestor climb the perimeter fence. *Id.* at ¶ 14. Mr. Smith also received a report that a staff member was kicked by someone wearing clothing marked “press.” *Id.* at ¶ 15.

Mr. Russell submitted links to several videos purporting to show improper conduct by persons with indicia of press. ECF 101-5, ¶ 8. The Court reviewed those videos and did not find persuasive evidence of any wrongdoing related to persons wearing indicia of press with two exceptions. The first are the videos of Mr. Brandon Paape, who admits that he is not press but is wearing clothing marked “press” because he was assaulted by federal agents and hoped wearing clothing that indicates he is press would protect him from further violence. *Id.* ¶ 8(e), (f). The videos, however, do not provide evidence that Mr. Paape did anything unlawful. He masqueraded as press for personal protection. Additionally, shortly thereafter, he posted on Twitter that he will no longer wear indicia of press. *See* ECF 123 at 12. The videos of Mr. Paape do show, however, that persons other than actual journalists have worn indicia of press. The second is the video of a person wearing a “press” helmet who entered courthouse property and encouraged others to join. ECF 101-5, ¶ 8(h). He states: “They can’t arrest us all.” This, however, is the same person from Mr. Smith’s photograph, ECF 106-1 ¶ 11 (Exhibits B and C).

The Federal Defendants also provide additional declarations describing further conduct. A man wearing a vest stating “press” threw a hard object toward police. ECF 101-3, FPS No. 824 Decl., ¶ 5. Another such person shielded from police a woman who was shining strobe lights into the eyes of an officer. *Id.* One person with handwritten markings reading “PRESS” directed a powerful flashlight at a law enforcement helicopter overhead but was not filming or taking photos or notes. ECF 101-2, CBP PAO #1 Decl. ¶ 9. A photo of this man depicts him standing very close to another man holding a camera. *Id.* It is unclear if the man with the powerful light was lighting for the cameraman or was masquerading as press to use light as a law enforcement irritant. Another federal officer states that on one occasion he witnessed persons wearing press indicia shield other persons who were throwing objects at law enforcement. ECF 101-4, FPS No. 882 Decl. ¶ 5. Finally, CBP PAO #1 notes that people self-identified as press are frequently in the midst of crowds near individuals breaking laws, which makes it difficult to disperse protestors without dispersing journalists as well. ECF 101-2, ¶ 12. The Federal Defendants also consistently note that press intermingle with protesters and stand by (or perhaps record) when protesters engage in purportedly wrongful conduct.

## DISCUSSION

### A. Standing

The Federal Defendants argue that Plaintiffs do not have standing to request injunctive relief. The Federal Defendants concede that “the standing inquiry is focused on the filing of the lawsuit” but then assert that standing must be proven at “successive stages of the litigation” and make the same standing arguments that they made during the TRO. In issuing the Temporary Restraining Order Enjoining Federal Defendants, the Court rejected the Federal Defendants’ arguments regarding standing and found that Plaintiffs had Article III standing. *See Index Newspapers LLC v. City of Portland*, --- F.3d ---, 2020 WL 4220820, at \*4-5 (D. Or. July 23,

2020). To the extent the Federal Defendants request reconsideration of that decision, arguing that based on facts as they existed at the time of the filing of the Complaint Plaintiffs do not have standing, reconsideration is denied.<sup>5</sup> The Federal Defendants provide no compelling basis for the Court to modify its previous determination.

To the extent the Federal Defendants argue that Plaintiffs must continue to prove standing as this lawsuit continues and the facts evolve, the Federal Defendants misunderstand the doctrines of standing and mootness. Article III standing is evaluated by considering the facts as they existed at the time of the commencement of the action. *See Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 180 (2000) (noting that “we have an obligation to assure ourselves that FOE had Article III standing at the outset of the litigation”); *Skaff v. Meridien N. Am. Beverly Hills, LLC*, 506 F.3d 832, 838 (9th Cir. 2007) (“The existence of standing turns on the facts as they existed at the time the plaintiff filed the complaint.”).

Whether standing and the other requirements for a live case or controversy exists throughout the entirety of a case is considered under the doctrine of mootness. *See Barry v. Lyon*, 834 F.3d 706, 714 (6th Cir. 2016) (“To uphold the constitutional requirement that federal courts hear only active cases or controversies, as required by Article III, section 2 of the federal constitution, a plaintiff must have a personal interest at the commencement of the litigation (standing) that continues throughout the litigation (lack of mootness).”); *Vasquez v. Los Angeles*

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<sup>5</sup> The Federal Defendants offer no authority for the notion that this Court must repeatedly litigate the same issue. The Federal Defendants are bound by the “law of the case” doctrine for determinations made by this Court, absent reconsideration or changed circumstances such as if new Plaintiffs were added who the Federal Defendants contended did not have standing. At any appeal stage of this litigation, however, “the standing requirement therefore must be met by persons seeking appellate review, just as it must be met by persons appearing in courts of first instance.” *Virginia House of Delegates v. Bethune-Hill*, 139 S. Ct. 1945, 1951 (2019) (simplified).

*Cty.*, 487 F.3d 1246, 1253 (9th Cir. 2007) (noting that mootness is the doctrine under which courts ensure that “a live controversy [exists] at all stages of the litigation, not simply at the time plaintiff filed the complaint”); *Becker v. Fed. Election Comm’n*, 230 F.3d 381, 386 n.3 (1st Cir. 2000) (noting that *Lujan* “clearly indicat[es] that standing is to be ‘assessed under the facts existing when the complaint is filed’” and that evaluating standing thereafter “conflates questions of standing with questions of mootness: while it is true that a plaintiff must have a personal interest at stake throughout the litigation of a case, such interest is to be assessed under the rubric of standing at the commencement of the case, and under the rubric of mootness thereafter”); *McFalls v. Purdue*, 2018 WL 785866, at \*8-10 (D. Or. Feb. 8, 2018) (discussing the difference between standing and mootness). Therefore, the Federal Defendants’ arguments that Plaintiffs must demonstrate standing at “all stages of the litigation,” fail to do so now, and thus fail to present a case or controversy are more appropriately raised under the doctrine of mootness, to which the Court now turns. *See, e.g., Barry*, 834 F.3d at 714; *Vasquez*, 487 F.3d at 1253; *Becker*, 230 F.3d at 386 n.3; *Tellis v. LeBlanc*, 2020 WL 1249378, at \*5 (W.D. La. Mar. 13, 2020); *Rhone v. Med. Bus. Bureau, LLC*, 2019 WL 2568539, at \*3 (N.D. Ill. June 21, 2019); *Fancaster, Inc. v. Comcast Corp.*, 2012 WL 815124, at \*5 (D.N.J. Mar. 9, 2012).

## **B. Mootness**

The Federal Defendants do not specifically argue that Plaintiffs’ claims are moot based on any new facts or circumstances. Because the Federal Defendants appear to argue that Plaintiffs now lack standing based on changed circumstances, the Court considers whether the Federal Defendants’ voluntary change in enforcement tactics moots Plaintiffs’ claims. The augmented force of federal enforcement officers currently remain in Portland, ready to deploy whenever ordered, but have recently deployed only in limited circumstances and have not

recently engaged in the crowd control tactics that supported the Court’s original TRO in this case.

For a short time, the Oregon State Police took the lead in enforcing crowd control in Portland. That appears to have ended, and the Portland Police have now resumed performing that role. The out-of-town agents and officers of the Federal Defendants who have been deployed to Portland, however, and whose actions were the basis of the Court’s TRO, remain in Portland. Further, they have no scheduled date of departure.

To determine mootness, “the question is not whether the precise relief sought at the time the application for an injunction was filed is still available. The question is whether there can be *any* effective relief.” *Nw. Envtl. Def. Ctr. v. Gordon*, 849 F.2d 1241, 1244-45 (9th Cir. 1988) (emphasis in original) (quoting *Garcia v. Lawn*, 805 F.2d 1400, 1403 (9th Cir. 1986)). If a course of action is mostly completed but modifications can be made that could alleviate the harm suffered by the plaintiff’s injury, the issue is not moot. *Tyler v. Cuomo*, 236 F.3d 1124, 1137 (9th Cir. 2000). A case becomes moot “only when it is impossible for a court to grant any effectual relief whatever to the prevailing party.” *Chafin v. Chafin*, 568 U.S. 165, 172 (2013) (quotation marks omitted). The party alleging mootness bears a “heavy burden” to establish that a court can provide no effective relief. *Karuk Tribe of Cal. v. U.S. Forest Serv.*, 681 F.3d 1006, 1017 (9th Cir. 2012) (quoting *Forest Guardians v. Johanns*, 450 F.3d 455, 461 (9th Cir. 2006)).

Further, voluntary cessation of conduct moots a claim only in limited and narrow circumstances. As explained by the Supreme Court:

The test for mootness in cases such as this is a stringent one. Mere voluntary cessation of allegedly illegal conduct does not moot a case; if it did, the courts would be compelled to leave the defendant free to return to his old ways. A case might become moot if subsequent events made it absolutely clear that the allegedly wrongful behavior could not reasonably be expected to



recur. Of course it is still open to appellees to show, on remand, that the likelihood of further violations is sufficiently remote to make injunctive relief unnecessary. This is a matter for the trial judge. But this case is not technically moot, an appeal has been properly taken, and we have no choice but to decide it.

*City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283, 289 n.10 (1982) (simplified); *see also F.T.C. v. Affordable Media*, 179 F.3d 1228, 1238 (9th Cir. 1999) (“A case may become moot as a result of voluntary cessation of wrongful conduct only if ‘interim relief or events have completely and irrevocably eradicated the effects of the alleged violation.’” (quoting *Lindquist v. Idaho State Bd. of Corr.*, 776 F.2d 851, 854 (9th Cir. 1985))). The Ninth Circuit has noted that “an executive action that is not governed by any clear or codified procedures cannot moot a claim.” *McCormack v. Herzog*, 788 F.3d 1017, 1025 (9th Cir. 2015). The Ninth Circuit also advises courts to be “less inclined to find mootness where the new policy could be easily abandoned or altered in the future.” *Rosebrock v. Mathis*, 745 F.3d 963, 972 (9th Cir. 2014) (simplified).

The Federal Defendants’ voluntary change in enforcement tactics does not moot Plaintiffs’ claims. There remains effective relief that the Court can provide for Plaintiffs. Further, the change in enforcement tactics is not part of any clear or codified procedures. It could easily be abandoned or altered in the future. Indeed, the Federal Defendants have stated that they specifically intend to abandon or alter in the future the current posture and become actively involved again if local police do not perform in a manner acceptable to the Federal Defendants or are otherwise unable to secure the federal courthouse in Portland in a manner acceptable to the Federal Defendants.<sup>6</sup> Whether this current and potentially temporary change in enforcement tactics affects Plaintiffs’ likelihood of irreparable harm is addressed in Section D.2 below.

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<sup>6</sup> *See, e.g.*, ECF 147-1 at 3 (USMS responding to a Request for Admission that it would no longer police Portland protests by stating: “USMS cannot know whether state law

### **C. Factors for Preliminary Injunctive Relief**

#### **1. Likelihood of Success on the Merits**

Plaintiffs allege both First Amendment retaliation and a violation of their First Amendment right of access.<sup>7</sup> Plaintiffs must show a likelihood of success on the merits (or at least substantial questions going to the merits) on at least one of these two claims. Plaintiffs satisfy this requirement.

##### **a. First Amendment Retaliation**

To establish a claim of First Amendment retaliation, Plaintiffs must show that: (1) they were engaged in a constitutionally protected activity; (2) the Federal Defendants' actions would chill a person of ordinary firmness from continuing to engage in the protected activity; and

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enforcement efforts will continue or whether those efforts will sufficiently protect federal property” and providing a nearly identical response in denying a request for admission that USMS would not engage with journalists or legal observers at a Portland protest); ECF 147-2 at 3 (USMS responding to an interrogatory regarding its plans to remove the additional support personnel sent to Portland: “With respect to the withdrawal of additional personnel deployed to Portland, their withdrawal will depend on unknown future circumstances in Portland and presence of any threat to the federal judiciary or property.”); ECF 147-3 at 3 (DHS providing nearly identical responses to the similar Requests for Admission); ECF 147-4 at 4 (DHS responding that the “cessation of Operation Diligent Valor will depend on unknown future circumstances in Portland. . . . The other DHS officers and agents deployed to Portland to assist FPS in the protection of the Hatfield U.S. Courthouse and federal facilities in Portland will remain in Portland until the Department makes an operational security determination that their presence is no longer required to protect federal facilities there.”); ECF 147-4 at 3 (DHS affirming as truthful the statements in the press release filed with the Court in ECF 124-1, including the statement from Acting Secretary Chad Wolf that “the increased federal presence in Portland will remain until [DHS] is certain the federal property is safe and a change in posture will not hinder DHS’s Congressionally mandated duty to protect it. While the violence in Portland is much improved, the situation remains dynamic and volatile, with acts of violence still ongoing, and no determination of timetables for reduction of protective forces has yet been made. Evaluations remain ongoing.”).

<sup>7</sup> Plaintiffs also allege claims under the Fourth Amendment and Oregon’s state Constitution, but did not argue those claims in their motion for preliminary injunction. Thus, the Court only considers Plaintiffs’ likelihood of success on their First Amendment claims.

(3) the protected activity was a substantial or motivating factor in the Federal Defendants' conduct. *Pinard v. Clatskanie Sch. Dist.* 6J, 467 F.3d 755, 770 (9th Cir. 2006). For the first factor, Plaintiffs have shown that they are engaged in constitutionally protected activity under the First Amendment. Plaintiffs are engaged in newsgathering, documenting, and recording government conduct. *See, e.g., Leigh*, 677 F.3d at 898 (recognizing First Amendment protection for "the press and public to observe government activities"); *United States v. Sherman*, 581 F.2d 1358, 1360 (9th Cir. 1978) (noting that the "ability to gather the news" is "clearly within the ambit of the First Amendment"). The Federal Defendants do not dispute this factor.

Regarding the second factor, the Federal Defendants argue that Plaintiffs' assertion that they intend to continue to cover the protests in Portland or that they have a continuing fear of future physical force or threat by the Federal Defendants is subjective and insufficient. The Court rejects that argument. The enforcement tactics of the Federal Defendants would chill a person of ordinary firmness from continuing to engage in the protected activity. "Ordinary firmness" is an objective standard that will not "allow a defendant to escape liability for a First Amendment violation merely because an unusually determined plaintiff persists in his protected activity." *Mendocino Env'tl. Ctr. v. Mendocino Cty.*, 192 F.3d 1283, 1300 (9th Cir. 1999). Before the TRO was in place, Plaintiffs submitted numerous declarations, photographs, and videos describing and depicting instances when journalists and legal observers were targeted. This includes Mr. Howard being shot at close range despite complying with a federal officer's order to stay where he was. It also includes Mr. Kim and Mr. Yau being shot when they were not near protesters. It further includes Mr. Berger being beaten with a baton.

The Court also has reviewed all of the testimony and videos submitted by Plaintiffs after the Court issued its TRO. Although some of that evidence is ambiguous or less persuasive, some

of it describes or shows conduct that appears to target journalists and legal observers, as opposed to incidentally or inadvertently reaching them as part of reasonable crowd control or enforcement against violent offenders. This evidence includes a federal officer forcing reporter Ms. Ellis to disperse on July 24, 2020 in a manner that would be intimidating to a reasonable person, despite the Court's TRO providing that press shall not be required to disperse. It also includes a federal officer spraying mace or pepper spray directly into the faces of clearly marked legal observers from only a few feet away. The evidence further includes a federal officer shooting a less lethal munition on July 23rd directly at Mr. Conley and another photographer, both clearly identifiable as press, after shining a bright light on them to identify them, and when the person nearest to them was a clearly identified medic standing behind a shield several feet away. It also includes video from Ms. Molli in the early morning of July 30, 2020, one week after the TRO was issued, showing law enforcement agents firing on a group of journalists when only other law enforcement agents were nearby.

The declarations submitted both before and after the TRO also describe that because of the Federal Defendants' conduct, journalists and legal observers were forced to stop newsgathering, documenting, and observing for minutes, hours, or days due to injury and trauma. This includes Mr. Haberman-Ducey being unable to observe due to his broken hand, Mr. Rudoff being unable to return for two days due to being shot in the leg, Mr. Conley having to take some time away because he could "barely walk" after his injuries, Ms. Elsesser stating that she would refuse further assignments in Portland unless she was provided with a bullet proof vest because of her injuries, Mr. Hollis leaving early after he was shot, and Ms. Jeong leaving earlier than she had planned.

Indeed, some journalists decided never to return because of fear for their personal safety. *See, e.g.*, ECF 81 at 4 (Mr. Steve Hickey stating: “I do not intend to continue covering the protests in Portland after tonight, in part because I am fearful that federal agents will injure me even more severely than they did on the night of July 19 and morning of July 20 when they intentionally shot at my face, twice, when I was not even near any protestors.”); ECF 117 at 5 (Ms. Katz stating: “Because of how federal agents treated me, I have stopped covering the Portland protests.”). Most of the declarants, however, emphasize that they intend to continue covering or observing the protests despite their fear of continued injury or targeting by the Federal Defendants. This fear is not unreasonable or speculative. Plaintiffs and the other declarants were repeatedly subject to violent encounters with federal officers when covering the Portland protests. It is not hypothetical or mere conjecture. Instead, it is likely that they and other journalists and legal observers will face such treatment again if they cover protests in Portland policed by agents of the Federal Defendants. Moreover, the mere threat of harm, without further action, can have a chilling effect. *Brodheim v. Cry*, 584 F.3d 1262, 1270 (9th Cir. 2009).

The Court recognizes that that there are some violent individuals at these protests, including some who throw dangerous items at law enforcement officers, such as rocks, frozen water bottles, fireworks, and Molotov cocktail-type devices. Law enforcement also face arson events, including in dumpsters and debris being piled and set on fire. The situation can be dangerous and difficult for law enforcement. The fact that there are some violent offenders, however, does not give the Federal Defendants carte blanche to attack journalists and legal observers and infringe their First Amendment rights. *See Black Lives Matter Seattle-King Cty. v. City of Seattle, Seattle Police Dep’t*, 2020 WL 3128299, at \*3 (W.D. Wash. June 12, 2020). Further, many declarants note that they have covered protests in war zones around the world and

in areas with riotous protests such as Hong Kong, Oakland, and Seattle, and have never been subjected to the type of egregious and violent attacks by law enforcement personnel as they have suffered in Portland. If military and law enforcement personnel can engage around the world without attacking journalists, the Federal Defendants can respect Plaintiffs' First Amendment rights in Portland, Oregon.

In addition, the change in enforcement tactics does not serve to remove the chilling effect of the Federal Defendants' conduct for the same reason it does not moot Plaintiffs' claims. It is subject to change without notice and whenever the Federal Defendants assert that it is needed. It also has been the subject of conflicting public statements, which would not give a person of ordinary firmness confidence that the Federal Defendants are not poised and ready to return to the streets of Portland at any moment and to continue with the previous *modus operandi*.

Regarding the third factor, the Federal Defendants argue that Plaintiffs fail to show that any protected activity was a substantial or motivating factor in any purported conduct. The Federal Defendants assert that in every video submitted by Plaintiffs after the TRO went into effect, every journalist or authorized legal observer who was purportedly targeted was standing between law enforcement officers and protesters and sometimes also standing next to or behind protesters. Thus, argue the Federal Defendants, legal observers and journalists were not being intentionally targeted but merely were "inadvertently" hit. The Federal Defendants conclude that the circumstantial evidence does not support any retaliatory intent, and Plaintiffs have not shown a likelihood of success on the merits.

The Court reaches a different conclusion from the evidence. The issue is not as simple as whether a legal observer is standing "between" law enforcement personnel and protesters. For example, the Court's view of the two videos showing the pepper spray or mace attack on the

legal observers reveals that this evidence supports the finding that journalists or legal observers were targeted and not inadvertently hit. They were standing together along the fence protecting the courthouse. There may have been protesters at some point standing behind them, although not close behind them, based on the video. Thus, the journalists or legal observers may have been “between” the law enforcement at the fence and some set of protesters further back from the fence. But based on the video, it is clear that the pepper spray was not aimed at protesters standing further back from the fence. The spray appears to have been intentionally directed at close range into the faces and eyes of the journalists or legal observers.

Additionally, from the Court’s review, there are videos showing journalists not standing in between law enforcement and protesters, yet they also appear to have been targeted by agents of the Federal Defendants. For example, the video from Mr. Conley from July 24, 2020, from the time count of approximately 6:30 to 7:40, supports the finding that he was targeted. Federal agents fired on him when he was not near protesters, after he had repeatedly identified himself as press, after many federal officers had returned to the courthouse and were safe from the volatile situation of apprehending the woman and the man who had attempted to interfere with the woman’s apprehension, and after the pan of Mr. Conley’s camera showed that the nearest person was another photographer. The next two nearest people were yards away and were on one side a medic behind a shield and on the other side a single protester yelling taunts. A federal officer shone a bright light at Mr. Conley, making his and his neighboring photographer’s press status even more identifiable, and then fired at Mr. Conley.

The Court also finds it to be a reasonable interpretation<sup>8</sup> that Ms. Ellis and another journalist were targeted when on July 24, 2020, they were forced to disperse, despite the TRO and their clearly identifiable status as press. Further, the Court finds that the video posted by Ms. Molli from early morning on July 30th supports a finding of targeting. This video shows journalists taking video and pictures of a munition that had been fired by federal officers. There were only a handful of journalists and many law enforcement officers, no protesters. Suddenly, one officer fired a less-lethal munition directly at the journalists recording the events.

Moreover, there are declarations that do not have video. The Federal Defendants do not address these. For example, Ms. Elsesser states that on July 25th she was standing by herself, across the street from the courthouse, with no protesters around when she was shot with a munition in the back of her arm. Ms. Katz states that on July 27th she was attempting to photograph the arrest of a protester when a federal agent physically blocked her. When she took a step to the side to get another angle, he physically shoved her away. These videos and declarations are all circumstantial evidence supporting retaliatory animus.

The Federal Defendants cite two unpublished Ninth Circuit decisions in support of their argument that in responding to some violent offenders in protesting crowds, any incidental burden on the First Amendment rights of journalists and legal observers is acceptable. These unpublished—and thus non-precedential—cases are unpersuasive. The Court follows published Ninth Circuit precedent, including *Collins*, which instructs that the proper response to violence is to arrest the violent offenders, not prophylactically suppress First Amendment rights. *See Collins*, 110 F.3d at 1372.

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<sup>8</sup> The Court makes no determination regarding clear and convincing evidence needed for a finding of contempt.



The Federal Defendants also argue that they have a formal policy of supporting First Amendment rights and contend that Plaintiffs fail to show otherwise. The Federal Defendants may not, however, hide behind a formal policy if in practice they do not conform to that policy. *See Castro v. Cty. of Los Angeles*, 833 F.3d 1060, 1075 n.10 (9th Cir. 2016) (en banc) (noting that a defendant cannot escape its “actual routine practices” by “pointing to a pristine set of policies”). At this stage of the litigation, the Court is persuaded by the number of alleged acts and the expert testimony of Mr. Kerlikowske that the conduct of the federal officers has not been reflective of a policy or practice of respecting First Amendment rights. Mr. Kerlikowske opines that the federal officers repeatedly have engaged in excessive force against journalists and legal observers, have not used appropriate crowd control tactics, and improperly have fired at the head, heart, and backs of journalists and legal observers when such conduct is generally not permitted. Even the Federal Defendants’ own witnesses have conceded that shooting persons in such a manner is inappropriate. *See, e.g.*, ECF 136-2 at 13, FPS 824 Dep. Tr. 34:14-21 (testifying that shooting a person in the back who is not doing anything violent is not appropriate); ECF 136-3 at 8, CBP NZ-1 Dep. Tr. 37:18-25 (testifying that shooting a person in the back is not something that an agent or officer should do). Mr. Kerlikowske also opines that the augmented federal force deployed in Portland does not have the appropriate training for policing urban protests and crowd control and does not have the appropriate supervision and leadership. The Court finds these opinions persuasive, and they provide further circumstantial evidence of retaliatory intent.

In sum, Plaintiffs provide substantial circumstantial evidence of retaliatory intent to show, at the minimum, serious questions going to the merits. Plaintiffs submit numerous declarations and other video evidence describing and showing situations in which the declarants

were identifiable as press, were not engaging in unlawful activity or even protesting, were not standing near protesters, and yet were subjected to violence by federal agents under circumstances that appear to indicate intentional targeting. Contrary to the Federal Defendants' arguments, this evidence does not show that the force used on Plaintiffs was merely an "inadvertent" consequence of otherwise lawful crowd control. Also, Plaintiffs submit expert testimony opining about repeated instances of excessive force being used against journalists and legal observers and failures of training and leadership with the augmented federal force sent to Portland, which is further circumstantial evidence supporting Plaintiffs' claim. Thus, Plaintiffs' have shown the elements of First Amendment retaliation.

**b. Right of Access to Public Streets and Sidewalks**

The First Amendment prohibits any law "abridging the freedom of speech, or of the press[.]" U.S. Const., amend. I. Although the First Amendment does not enumerate special rights for observing government activities, "[t]he Supreme Court has recognized that newsgathering is an activity protected by the First Amendment." *United States v. Sherman*, 581 F.2d 1358, 1361 (9th Cir. 1978); see *Branzburg*, 408 U.S. at 681 ("[W]ithout some protection for seeking out the news, freedom of the press could be eviscerated.").

As the Ninth Circuit has explained: "the Supreme Court has long recognized a qualified right of access for the press and public to observe government activities." *Leigh*, 677 F.3d at 898. By reporting about the government, the media are "surrogates for the public." *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980) (Burger, C.J., announcing judgment); see also *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 91 (1975) ("[I]n a society in which each individual has but limited time and resources with which to observe at first hand the operations of his government, he relies necessarily upon the press to bring to him in convenient form the facts of those operations."). As further described by the Ninth Circuit, "[w]hen wrongdoing is

underway, officials have great incentive to blindfold the watchful eyes of the Fourth Estate.” *Leigh*, 677 F.3d at 900 (quoting Timothy B. Dyk, *Newsgathering, Press Access, and the First Amendment*, 44 STAN. L. REV. 927, 949 (1992) (alteration in original) (“[W]hen the government announces it is excluding the press for reasons such as administrative convenience, preservation of evidence, or protection of reporters’ safety, its real motive may be to prevent the gathering of information about government abuses or incompetence.”)).

The Federal Defendants argue that journalists have no right to stay, observe, and document when the government “closes” public streets. This argument is not persuasive. First, the Federal Defendants are not the entities that “close” state and local public streets and parks; that is a local police function.<sup>9</sup> Second, the point of a journalist observing and documenting government action is to record whether the “closing” of public streets (*e.g.*, declaring a riot) is lawfully originated and lawfully carried out. Without journalists and legal observers, there is only the government’s side of the story to explain why a “riot” was declared and the public streets were “closed” and whether law enforcement acted properly in effectuating that order. Third, the Federal Defendants have not shown that any journalist or legal observer has harmed any federal officer or damaged any federal property, and if any journalist, legal observer, or person masquerading as a journalist or legal observer were to attempt to do so, the preliminary injunction would not protect them. Thus, the stated need to protect federal property and the safety of federal officers is not directly affected by allowing journalists and legal observers to stay, observe, and record events.

The Federal Defendants argue that Plaintiffs improperly rely on *Press-Enterprise Co. v. Superior Court* (“*Press-Enterprise II*”), 478 U.S. 1 (1986), to articulate the standard to apply in

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<sup>9</sup> See n.2, *supra*.

evaluating likelihood of success in Plaintiffs' claim of right of access. The Court rejects this argument.

In *Press-Enterprise II*, the Supreme Court established a two-part test for a claim of violation of the right of access. First, the court must determine whether a right of access attaches to the government proceeding or activity by considering whether the place and process have historically been open to the press and general public and whether public access plays a significant positive role in the functioning of the particular process in question. *Press-Enterprise II*, 478 U.S. at 8-9. Second, if the court determines that a qualified right applies, the government may overcome that right only by demonstrating "an overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest." *Id.* at 9 (citation omitted); *see also Leigh*, 677 F.3d at 898 (discussing *Press-Enterprise II*). The public streets, sidewalks, and parks historically have been open to the press and general public,<sup>10</sup> and public observation of law enforcement activities in these public fora plays a significant positive role in ensuring conduct remains consistent with the Constitution.

The Federal Defendants argue that they have a strong and overriding government interest in protecting federal property. The Court agrees that protecting federal property is a strong

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<sup>10</sup> The Federal Defendants argue that the proper question is whether there historically was access after the closure order that is at issue—the unlawful assembly declaration and dispersal order. The Court disagrees that access is evaluated after the closure that is challenged. Access is considered before the closure that is challenged to determine whether the closure is unduly burdening First Amendment rights. For example, the Supreme Court in *Press-Enterprises II* did not evaluate whether the press and public had access to preliminary criminal proceedings that were subject to a legitimate closure order, but whether they had access to preliminary criminal proceedings generally. 478 U.S. at 10. Even if the Federal Defendants' assertion of how to frame the first question in *Press-Enterprises II* is correct, however, as noted above, it is not at issue in this motion because the City previously has stipulated that even after it has declared an unlawful assembly and issued a lawful dispersal order on state and local property, journalists and authorized legal observers may remain.

government interest, but the Federal Defendants must craft a narrowly tailored response to achieve that government interest without unreasonably burdening First Amendment rights. The Federal Defendants simply assert that dispersing everyone is as narrowly tailored as possible and to allow anyone to stay after a dispersal order is not practicable or workable. The record, however, belies this assertion.

The City, by stipulated preliminary injunction, does not require journalists and authorized legal observers to disperse, even when there has been an otherwise lawful general order of dispersal. After issuing the first TRO directed against the City, the Court specifically invited the City to move for amendment or modification if the original TRO was not working or to address any problems at the preliminary injunction phase. Instead, the City *stipulated* to a preliminary injunction that was nearly identical to the original TRO, with the addition of a clause relating to seized property. The fact that the City did not ask for any modification and then stipulated to a preliminary injunction is compelling evidence that exempting journalists and legal observers is workable.<sup>11</sup> Moreover, the City supports Plaintiffs' request for an injunction against the Federal Defendants, both the TRO and this preliminary injunction. Additionally, as discussed previously, Plaintiffs' expert witness Mr. Kerlikowske provides qualified, relevant, and persuasive testimony

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<sup>11</sup> At oral argument, counsel for the City noted that the City might request from Plaintiffs a possible modification to the stipulated preliminary injunction. The City noted it had encountered some issues with persons with "press" markings intermingling with protesters and interfering with law enforcement. The Federal Defendants argue that this is "proof" that the preliminary injunction is "unworkable." Whether the City might request a modification at some point in the future, however, is not evidence of unworkability. Additionally, the City's stipulated preliminary injunction does not contain the indicia of journalists and legal observers that they "stay to the side" and not intermix with protesters, which is included in the preliminary injunction below, and does not contain the express prohibition on press and legal observers impeding, blocking, or interfering with law enforcement activities, which also is included below. Further, the fact that there might be room for improvement of a preliminary injunction does not make it unworkable. The Court is mindful not to let the perfect be the enemy of the good.

showing that the relief provided in the TRO against the Federal Defendants is workable. He also explains that during his tenure in Seattle, law enforcement did not target or disperse journalists and there were no adverse consequences. Numerous declarants also testified that they were not dispersed during protests in other locations. Thus, it is workable and feasible to disperse protesters generally but not require the dispersal of journalists and authorized legal observers. The Federal Defendants' blanket assertion that federal officers must disperse everyone is rejected.

Further, the Federal Defendants' objections to the workability of the TRO primarily focus on concerns regarding when journalists and legal observers "intermingle" with protesters. The first concern is that federal officers will violate the injunction if a journalist or legal observer is subject to crowd control tactics when mixed with the crowd. The preliminary injunction contains protections for this scenario. It adds, different from the TRO, the indicia of a journalist and legal observer that they stay to the side of the protest and not intermix with protesters. It also retains the protection for law enforcement that the incidental exposure of journalists and legal observers to crowd control devices is not a violation of the injunction.

The Federal Defendants' second concern with the intermingling of journalists and legal observers and protesters is that journalists and legal observers may interfere with law enforcement, particularly if allowed to stay after dispersal order. The preliminary injunction, however, retains the TRO's instruction that journalists and legal observers must comply with all laws other than general dispersal orders. For further clarity, the preliminary injunction expressly adds the provision that journalists and legal observers may not impede, block, or otherwise interfere with the lawful conduct of the federal officers.

The Federal Defendants also express concern that persons may disguise themselves as press and commit violent or illegal acts. The preliminary injunction, however, does not protect anyone who commits an unlawful act. The Federal Defendants have the same authority to arrest or otherwise engage with persons who commit unlawful acts, regardless of their clothing. Moreover, most of this concern expressed by the Federal Defendants focuses on persons self-identifying as press who are mixed with protesters or interfering with law enforcement. The preliminary injunction's addition of the indicia of press as staying to the side and not intermixing with protesters and express prohibition on interfering with law enforcement further addresses this concern. Further, Mr. Kerlikowske's declarations containing his expert opinions are persuasive in discounting this possibility.

The Federal Defendants also argue that requiring federal officers to wear larger unique identifying markings is not workable and is not connected to Plaintiffs' claims in this case. The Federal Defendants assert that such markings will interfere with an officer's ability to reach necessary equipment and are unnecessary because most officers already wear some unique identifying number somewhere on their uniform. The Federal Defendants were unable, however, to identify specific officers from videos when asked to do so by the Court. The current identifying markings are not of sufficient visibility. The Court does not find it credible that there is no possible location on the helmet or uniforms on which more visible markings can be placed. The Court is persuaded by Mr. Kelikowske's expert opinion that unique identifying markings are feasible, important, and will not interfere with the federal officers' ability to perform their duties. The Court also finds that such a requirement is related to Plaintiffs' claims because, as noted by Mr. Kerlikowske, these markings would deter the very conduct against which Plaintiffs have filed suit.

At this stage of the lawsuit, there are at least serious questions regarding Plaintiffs' right of access, whether the government will be able to meet its burden to overcome that right of access, the federal officers' tactics directed toward journalists and other legal observers, and whether restrictions placed upon them by the Federal Defendants are narrowly tailored. Thus, Plaintiffs' meet this factor for their claim alleging a violation of their right of access.

## **2. Irreparable Harm**

Plaintiffs also must show that they are "likely to suffer irreparable harm in the absence of preliminary relief." *See Winter*, 555 U.S. at 20. The Ninth Circuit has explained that "speculative injury does not constitute irreparable injury sufficient to warrant granting a preliminary injunction. A plaintiff must do more than merely allege imminent harm sufficient to establish standing; a plaintiff must *demonstrate* immediate threatened injury as a prerequisite to preliminary injunctive relief." *Boardman v. Pac. Seafood Grp.*, 822 F.3d 1011, 1022 (9th Cir. 2016) (emphasis in original) (simplified).

The Federal Defendants argue that Plaintiffs face no threat of immediate injury, particularly because of the changed enforcement tactics. The Federal Defendants assert that Plaintiffs have provided no evidence that the chances of encountering a federal officer at a protest is higher in August 2020 than it was in August 2019 or August 2018.

The Federal Defendants' latter assertion is without merit. The Federal Defendants have sent numerous additional federal officers to Portland with the stated mission to protect federal property and persons. Plaintiffs provide evidence that these officers routinely have left federal property and engaged in crowd control and other enforcement on the streets, sidewalks, and parks of the City of Portland. Plaintiffs' expert Mr. Kerlikowske opines that the federal officers and supervisors have insufficient and improper experience and leadership to handle the conditions during the Portland protests. Additionally, Plaintiffs provide evidence that the



augmented federal police force has remained in Portland, that it will stay in Portland ready to deploy at any moment, and that there are no plans for any officers to withdraw from Portland, at least not until it is “certain” that federal property is “safe.” This provides significant evidence that journalists and legal observers are more likely to encounter a federal officer during a protest in August 2020 than in 2019 or 2018, when there was no augmented federal police force or Operation Diligent Valor.

Regarding the Federal Defendants’ argument that the voluntary change in tactics has decreased the immediacy of any claim of injury, thereby mitigating irreparable harm, the Ninth Circuit has rejected a similar argument. In *Boardman*, the defendants argued that there was no immediate danger of harm because the defendants had voluntarily ceased certain conduct. 822 F.3d at 1023. The defendants had voluntarily terminated a disputed merger and entered into a stipulation not to enter into a purchase transaction while the Oregon Attorney General’s investigation was ongoing. *Id.* The stipulation was terminable upon 60-days’ notice to the District Court and the Oregon Attorney General. The Ninth Circuit concluded that the District Court did not abuse its discretion in finding irreparable harm. *Id.*

The Ninth Circuit focused on the fact that the voluntarily stipulation was terminable with 60-days’ notice, the defendants had a history of negotiating in secret, the stipulation was limited to a “purchase transaction” and the transaction could take other contractual forms, and the exclusive marketing agreement between the two defendants had expired (thereby incentivizing a merger). *Id.* The Ninth Circuit noted: “A threat of irreparable harm is sufficiently immediate to warrant preliminary injunctive relief if the plaintiff ‘is likely to suffer irreparable harm before a decision on the merits can be rendered.’” *Id.* (quoting *Winter*, 555 U.S. at 22). For the plaintiff to be injured in *Boardman*, the defendants would have had to give 60-days’ notice and then not

have the district court otherwise intervene, or negotiate in secret and reach a form of deal not considered a “purchase agreement,” or other steps that arguably were attenuated or provided the plaintiffs some opportunity to request emergency relief. Nonetheless, the Ninth Circuit agreed that the potential injury was immediate and irreparable for purposes of preliminary injunctive relief.

Plaintiffs’ irreparable injury here is not nearly as attenuated as *Boardman* and indeed is much more immediate because it could happen without any prior notice to the Court. The Court has already found that Plaintiffs face irreparable harm from the Federal Defendants’ conduct.<sup>12</sup>

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<sup>12</sup> The Federal Defendants cite *Rendish v. City of Tacoma*, 123 F.3d 1216, 1226 (9th Cir. 1997), for the proposition that claims alleging First Amendment retaliation are not entitled to a presumption of irreparable harm. *Rendish* involved a public employee who was terminated and alleged First Amendment retaliation. *Id.* at 1218. The district court found that the plaintiff was *not* likely to succeed on the merits of her claim. *Id.* at 1226. The Ninth Circuit concluded: “Because the district court’s assessment that Rendish did not show a likelihood of success was accurate, it did not abuse its discretion in finding no irreparable harm based on a loss of her constitutional rights.” *Id.* The court rejected the plaintiff’s argument that despite the district court’s conclusion that the plaintiff would not have succeeded on the merits, the district court was required to presume irreparable harm, noting that there is no such presumption. *Id.*

*Rendish* provides no support for the contention that when a court concludes that plaintiffs *are* likely to succeed on the merits of a claim that their constitutional rights have been violated, the plaintiffs are not entitled to a presumption of irreparable harm. Indeed, the opposite is true. *See, e.g., Doe v. Harris*, 772 F.3d 563, 583 (9th Cir. 2014) (“A ‘colorable First Amendment claim’ is ‘irreparable injury sufficient to merit the grant of relief.’” (quoting *Warsoldier v. Woodford*, 418 F.3d 989, 1001 (9th Cir. 2005)) (affirming grant of preliminary injunction)); *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (“It is well established that the deprivation of constitutional rights ‘unquestionably constitutes irreparable injury.’” (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976))); *Assoc. Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) (noting that “[t]he loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury” and reversing and remanding for entry of preliminary injunction (alteration in original) (quoting *Elrod*)); *Klein v. City of San Clemente*, 584 F.3d 1196, 1207-08 (9th Cir. 2009) (“Both this court and the Supreme Court have repeatedly held that the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” (simplified) (reversing and remanding for entry of preliminary injunction)); *Black Lives Matter Seattle-King Cty. v. City of Seattle, Seattle Police Dep’t*, 2020 WL 3128299, at \*4 (W.D. Wash. June 12, 2020) (citing *Melendres* and *Otter* and finding irreparable harm for First Amendment retaliation claims because “[t]he use of less-lethal, crowd control weapons has

After the Court’s initial finding of irreparable harm to support the TRO, Plaintiffs provided even more evidence that journalists’ First Amendment rights have been chilled, including declarations in which journalists describe being subject to less lethal munitions that required the journalist to stop covering the protests for the night or for some period of time, or chilled the journalist from returning to cover the protests in the future. *See, e.g.*, ECF 88 at 2 (Ellis Decl. ¶ 6, “Federal agents prevented me from doing my job twice on the night of July 23-24.”); ECF 89 at 4 (Elsesser Decl. ¶ 13, “If I am asked to cover the protests again, I would refuse unless I had a bulletproof vest (which are in short supply in Portland at the moment) to wear because I am fearful that federal agents would injure me or worse.”); ECF 91 at 3 (Hollis Decl. ¶ 8, “After the federal agents shot me, I turned and ran and returned to my hotel.”); ECF 116 at 3 (Jeong Decl. ¶¶ 7-8, noting that because she was shoved down to the ground by a federal officer she “ultimately left much earlier than I had planned” with respect to covering that night’s protest); ECF 117 at 5 (Katz Decl. ¶ 15, “Because of how federal agents treated me, I have stopped covering the Portland protests.”).

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already stifled some speech even if momentarily”); *Freedom for Immigrants v. U.S. Dep’t of Homeland Sec.*, 2020 WL 2095787, at \*5 (C.D. Cal. Feb. 11, 2020) (“Because FFI has demonstrated that DHS’s conduct likely contravenes its First Amendment rights, FFI satisfies the irreparable harm requirement for preliminary injunctive relief.”); *Nat’l Rifle Ass’n of Am. v. City of Los Angeles*, 441 F. Supp. 3d 915, 938-39 (C.D. Cal. 2019) (“In this case, Plaintiffs have sufficiently demonstrated that they are likely to be deprived of their First Amendment rights—the deprivation of which is ‘well established’ to constitute irreparable harm. Defendants’ primary argument to the contrary is that Plaintiffs have not provided admissible evidence of irreparable harm. But Plaintiffs have provided ample evidence of a likely First Amendment violation, which is enough to satisfy the *Winter* standard.” (citations omitted) (granting preliminary injunction)); *see also* 11A Charles Alan Wright, *FEDERAL PRACTICE & PROCEDURE*, § 2948.1 (2d ed. 2004) (“When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary.”). Plaintiffs have demonstrated that they are likely to be deprived of their First Amendment rights and that is sufficient to show irreparable harm.

The only change is the Federal Defendants’ “agreement” with Oregon Governor Kate Brown and voluntarily cessation of certain enforcement tactics. This change in enforcement is replete with caveats. It is terminable at any time and without any notice to this Court or Plaintiffs if the Federal Defendants believe that federal property or persons are not secure. *See n. 6, supra*. It is also subject to the federal officers being able to leave the building at any time for a specific incident of enforcement, even if the agreement itself has not changed. For example, although the federal officers’ modified enforcement role was announced on July 29, 2020, to begin the next day, Plaintiffs have submitted testimony and video evidence from that night (to be precise, from the early morning on July 30, 2020), of federal officers firing tear gas and flash bang munitions at journalists. *See* ECF 118 at 4. There was no one nearby on the street but numerous federal enforcement officers and six journalists when the munitions were deployed.

Moreover, the Federal Defendants have emphatically and repeatedly denied that they have engaged in any wrongful or unlawful conduct. Thus, there is no indication that their crowd control tactics, which the Court has already found to support both a finding of success on the merits and likelihood of irreparable harm, and which Plaintiffs’ expert has characterized as including excessive force, would change if they re-engage in crowd control enforcement and the Court’s injunctive relief is no longer in place.

Indeed, the Court has serious concerns that the Federal Defendants have not fully complied with the Court’s original TRO. The Court has reviewed all of the testimony and videos submitted by Plaintiffs after the Court issued its TRO, and although some of the evidence is ambiguous or less persuasive, some of the evidence describes and shows at least some conduct that appears to target journalists and legal observers, as opposed to incidentally or inadvertently reaching them as part of crowd control or enforcement against violent offenders.

Further, the Court does not agree with the Federal Defendants that given the magnitude of irreparable injury at stake in this case, the Court is required to wait until new and additional irreparable injury is inflicted on Plaintiffs to issue prospective injunctive relief. As the Ninth Circuit emphasized in *Boardman*, a threat of irreparable injury is sufficiently immediate if it is likely to occur before a decision on the merits can be issued. *Boardman*, 822 F.3d at 1023. Given the Federal Defendants’ public statements and discovery responses relating to Operation Diligent Valor, the current situation relating to the protests in Portland, and the current situation regarding the local police presence in Portland, the Court finds that it is sufficiently likely that federal officers will re-engage in “protecting federal property and persons” and will return to enforcement tactics before a decision on the merits in this case can be issued. Thus, Plaintiffs have sufficiently shown irreparable injury.

Moreover, the Court takes guidance from the Supreme Court and Ninth Circuit’s discussions regarding the Court’s authority relating to issuing injunctions generally and predicting future violations in this context. The Supreme Court has noted that in addition to a court retaining the ability to hear a case after voluntarily cessation (considerations of mootness), “the court’s power to grant injunctive relief survives discontinuance of the illegal conduct.” *United States v. W. T. Grant Co.*, 345 U.S. 629, 633 (1953). “The necessary determination is that there exists some cognizable danger of recurrent violation, something more than the mere possibility which serves to keep the case alive.” *Id.* In making this determination, the district court’s “discretion is necessarily broad and a strong showing of abuse must be made to reverse it. To be considered are the bona fides of the expressed intent to comply, the effectiveness of the discontinuance and, in some cases, the character of the past violations.” *Id.* The Ninth Circuit has

discussed “the factors that are important in predicting the likelihood of future violations” as follows:

the degree of scienter involved; the isolated or recurrent nature of the infraction; the defendant’s recognition of the wrongful nature of his conduct; the extent to which the defendant’s professional and personal characteristics might enable or tempt him to commit future violations; and the sincerity of any assurances against future violations.

*Fed. Election Comm’n v. Furgatch*, 869 F.2d 1256, 1263 n.5 (9th Cir. 1989). These factors are in addition to “the commission of past illegal conduct, [which] is highly suggestive of the likelihood of future violations.” *Id.*

Considering these factors, whether as articulated by the Supreme Court in *W.T. Grant* or the Ninth Circuit in *Furgatch*, the Federal Defendants’ voluntary cessation of conduct<sup>13</sup> does not demonstrate effective discontinuance and serious questions remain with respect to the likelihood of Plaintiffs’ future injury. In addition, under the *W.T. Grace* factors, there has been no expressed intent by the Federal Defendants to comply with the Court’s TRO. To the contrary, the Federal Defendants have stated that the order is “offensive” and that it “shouldn’t affect anything [the Federal Defendants are ] doing” in Portland. ECF 147-6 at 3 (statement by Acting Deputy

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<sup>13</sup> The Federal Defendants argue that they have not voluntarily ceased conduct because they dispute that they have engaged in any unlawful conduct. Regardless of how they characterize the lawfulness of their conduct, however, their argument is that because of the changed circumstances, Plaintiffs can no longer show irreparable injury. The changed circumstances on which the Federal Defendants rely, however, is the agreement between state and federal authorities that the federal officers would “stay in the building” and state and local police would take over more direct policing. The specifics of this agreement have been redacted by the Federal Defendants. *See* ECF 147-8 at 2. According to White House Senior Advisor Stephen Miller, however, the agreement does not include a “phased withdrawal.” ECF 147-5 at 2. Nonetheless, this agreement and the Federal Defendants’ voluntary change in enforcement as a result of the agreement is the voluntary cessation triggering the changed circumstances on which the Federal Defendants rely. Thus, the Court must analyze whether it supports the Federal Defendants’ assertion that there no longer exists a cognizable risk of recurrent violations.

Secretary Ken Cuccinelli). Also, as reflected in Plaintiffs' motion for contempt, despite the issuance of the TRO, the Federal Defendants appear to have engaged in at least some conduct that continues to target journalists and legal observers in violation of the Court's TRO. This raises concerns regarding future conduct if there is no injunction in place, because even with a Court order in place, improper conduct appears to have continued. Regarding the effectiveness of the Federal Defendants' stated discontinuance, as discussed above, it is not very effective while the out-of-town federal agents remain in Portland because the discontinuance is terminable at will by the Federal Defendants and, thus, only temporary. Finally, the character of the recent past violations by the Federal Defendants in Portland is particularly egregious.

Considering the Ninth Circuit's *Furgatch* factors, first, the Federal Defendants' past violations are highly suggestive of future harm. Second, the degree of scienter involved is high for violations triggering the requested injunctive relief, because it relates to targeting of journalists and legal observers and not merely incidental harm to them during crowd control. Further, because Plaintiffs agreed to the modification to the injunction that journalists and legal observers stay to the side, the risk of incidental targeting is diminished. Third, the occurrences were not isolated—Plaintiffs provided significant evidence of numerous journalists and legal observers who were targeted by the Federal Defendants. Indeed, several of the witnesses have experience reporting in war zones around the world and at violent protests in Hong Kong, Oakland, and Seattle. They emphasize how they have never been shot at or tear gassed until coming to Portland. Fourth, the Federal Defendants have not recognized the wrongful nature of their conduct but instead assert that they have only engaged in lawful conduct. They have not disciplined any federal agent or officer for any conduct. They moved to dissolve the TRO after Plaintiffs moved for contempt. The Federal Defendants, unlike the City of Portland, also did not

stipulate to preliminary injunctive relief. Fifth, given the disdainful comments publicly made by the highest officials at the Federal Defendants with respect to journalists, legal observers, Plaintiffs, protesters, and the City of Portland, the professional and personal characteristics of the Federal Defendants show that they are likely to be enabled or tempted to engage in future violations. Finally, there have not been sincere assurances given against future violations. Accordingly, considering these factors, the Court finds that Plaintiffs have made a sufficient showing of threatened future violations by the Federal Defendants causing sufficiently likely irreparable injury to Plaintiffs before a decision on the merits can be issued.

### **3. Public Interest and Balance of the Equities**

When the government is a party, the last two factors of the injunction analysis merge. *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014). Regarding the public interest, “[c]ourts considering requests for preliminary injunctions have consistently recognized the significant public interest in upholding First Amendment principles.” *Associated Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) (quotation marks omitted). Further, “it is always in the public interest to prevent the violation of a party’s constitutional rights.” *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quotation marks omitted) (granting an injunction under the Fourth Amendment). Regarding balancing the equities, when a plaintiff has “raised serious First Amendment questions,” the balance of hardships “tips sharply in [the plaintiffs’] favor.” *Cnty. House, Inc. v. City of Boise*, 490 F.3d 1041, 1059 (9th Cir. 2007) (alterations in original) (quotation marks omitted).

The Federal Defendants argue that the normal evaluation of these factors in favor of a plaintiff who is likely to succeed on a First Amendment claim does not apply in this case because the government’s countervailing interests outweigh Plaintiffs’ First Amendment concerns. The Federal Defendants assert the government’s interest in protecting federal property, ensuring the



safety of federal officers and other personnel, maintaining public order on federal property, and securing the federal courthouse so that it remains open and accessible to the public. The first three relate to protecting the courthouse and federal officers, and the final interest relates to providing access to the public.

Regarding protection of the courthouse and officers, the Federal Defendants rely on evidence that persons self-identifying as press have engaged in purported misconduct. The Court has reviewed all the video and other evidence submitted by the Federal Defendants in support of their contentions relating to alleged misconduct of persons self-identifying as press after the issuance of the TRO on July 23, 2020. Much of this evidence is ambiguous or shows that persons self-identifying as press have intermixed with protesters, have run toward the fence around the federal courthouse and stopped, have not actually been press but merely donned clothing (for one night) marked “press” hoping to avoid violence by federal officers, or simply have stood by while unlawful conduct was engaged in by others. This is not unlawful conduct.

There is evidence, however, that a few individual persons wearing press indicia on their clothing or hats or helmets (often handwritten), who generally are described by the Federal Defendant declarants as not otherwise engaging in any conduct such as reporting, notetaking, photographing, or recording, have engaged in the following activities: entering courthouse property after the fence was breached and encouraging others to do the same; helping another person to breach the fence; shining a flashlight at a police helicopter; kicking a police officer; shielding protesters from law enforcement; and throwing an object at law enforcement. This is inappropriate conduct, and much of it may be unlawful. The Court shares the Federal Defendants’ concerns for the safety of federal officers, particularly considering the more than 100 injuries that have been sustained by federal offices to date. But as discussed above in the

context of workability, the preliminary injunction does not protect unlawful conduct, and federal officers may arrest anyone, even persons with indicia of press, who are engaging in such conduct.

Further, the preliminary injunction has provisions that expressly address these concerns, including providing that one indicia of press or authorized legal observer status is that they stay to the side and do not intermix with protesters and that press and legal observers may not impede, block, or interfere with law enforcement. Concern over potential unlawful conduct thus does not alter the analysis of traditional public interest factors or the balance of equities.

Moreover, the Court must balance and weigh the equities and public interest. The fact that a few people may have engaged in some unlawful conduct does not outweigh the important First Amendment rights of journalists and legal observers and the public for whom they act as surrogates. Further, there is no evidence that any of the named Plaintiffs engaged in any of the purported unlawful conduct described by the Federal Defendants.

The Federal Defendants' final argument is that the government's interest in preserving physical access to courts outweighs Plaintiffs' interests. That argument also is without merit. The relevant protests are happening after business hours, and there is no indication that allowing journalists and legal observers to stay despite a general dispersal order interferes with public access. Thus, none of the government's proffered interests outweigh the public's interest in receiving accurate and timely reporting, video, and photographic information about the protests and how law enforcement is treating protestors. There also is no need to alter the traditional analysis recognizing the significant public interest in First Amendment rights and that in such cases the balance of the equities tips sharply in favor of the plaintiff. *See Otter*, 682 F.3d at 826; *Cnty. House*, 490 F.3d at 1059.

#### **4. Conclusion**

The Court GRANTS Plaintiffs' motion for preliminary injunction against the Federal Defendants (ECF 134) and Orders as follows:

#### **PRELIMINARY INJUNCTION**

1. The Federal Defendants, their agents and employees, and all persons acting under their direction are enjoined from arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), unless the Federal Defendants have probable cause to believe that such individual has committed a crime. For purposes of this Order, such persons shall not be required to disperse following the issuance of an order to disperse, and such persons shall not be subject to arrest for not dispersing following the issuance of an order to disperse. Such persons shall, however, remain bound by all other laws. No Journalist or Legal Observer protected order this Order, however, may impede, block, or otherwise physically interfere with the lawful activities of the Federal Defendants.

2. The Federal Defendants, their agents and employees, and all persons acting under their direction are further enjoined from seizing any photographic equipment, audio- or video-recording equipment, or press passes from any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person consistent with this Order. Except as expressly provided in Paragraph 3 below, the Federal Defendants must return any seized equipment or press passes immediately upon release of a person from custody.

3. If any Federal Defendant, their agent or employee, or any person acting under their direction seize property from a Journalist or Legal Observer who is lawfully arrested

consistent with this Order, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer. If equipment seized in connection with an arrest of a Journalist or Legal Observer lawfully seized under this Order is needed for evidentiary purposes, the Federal Defendants shall promptly seek a search warrant, subpoena, or other court order for that purpose. If such a search warrant, subpoena, or other court order is denied, or equipment seized in connection with an arrest is not needed for evidentiary purposes, the Federal Defendants shall immediately return it to its rightful possessor.

4. To facilitate the Federal Defendants' identification of Journalists protected under this Order, the following shall be considered indicia of being a Journalist: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. It also shall be an indicium of being a Journalist under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements. These indicia are not exclusive, and a person need not exhibit every indicium to be considered a Journalist under this Order. The Federal Defendants shall not be liable for unintentional violations of this Order in the case of an individual who does not carry or wear a press pass, badge, or other official press credential, professional gear, or distinctive clothing that identifies the person as a member of the press.

5. To facilitate the Federal Defendants' identification of Legal Observers protected under this Order, the following shall be considered indicia of being a Legal Observer: wearing a

green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. It also shall be an indicium of being a Legal Observer protected under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements.

6. The Federal Defendants are not precluded by the Order from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons. The Federal Defendants shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

7. Plaintiffs and the Federal Defendants shall promptly confer regarding how the Federal Defendants can place unique identifying markings (using numbers and/or letters) on the uniforms and/or helmets of the officers and agents of the Federal Defendants who are specially deployed to Portland so that they can be identified at a reasonable distance and without unreasonably interfering with the needs of these personnel. Based on the Court's understanding that Deputy U.S. Marshals and Courtroom Security Officers stationed in Portland who are under the direction of the U.S. Marshal for the District of Oregon are not part of the force that has given rise to events at issue in the lawsuit, they are exempt from this requirement. Agents wearing plain clothes and assigned to undercover duties also are exempt from this requirement. If the parties agree on a method of marking, they shall submit the terms of their agreement in writing to the Court, and the Court will then issue a modified preliminary injunction that incorporates the parties' agreement. If the parties cannot reach agreement within 14 days, each party may submit its own proposal, and each side may respond to any other party's proposal

within seven days thereafter. The Court will resolve any disputes on this issue and modify this preliminary injunction appropriately.

8. To promote compliance with this Preliminary Injunction, the Federal Defendants are ordered to provide copies of the verbatim text of the first seven provisions of this Preliminary Injunction, in either electronic or paper form, within 14 calendar days to: (a) all employees, officers, and agents of the Federal Defendants currently deployed in Portland, Oregon (or who later become deployed in Portland, Oregon while this Preliminary Injunction is in force), including but not limited to all personnel in Portland, Oregon who are part of Operation Diligent Valor, Operation Legend, or any equivalent; and (b) all employees, officers, and agents of the Federal Defendants with any supervisory or command authority over any person in group (a) above.

9. Plaintiffs need not provide any security, and all requirements under Rule 65(c) of the Federal Rules of Civil Procedure are waived.

10. The Court denies the oral motion by the Federal Defendants to stay this preliminary injunction.

**IT IS SO ORDERED.**

DATED this 20th day of August, 2020.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

AUG 27 2020

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

INDEX NEWSPAPERS LLC, DBA  
Portland Mercury; et al.,

Plaintiffs-Appellees,

v.

UNITED STATES MARSHALS SERVICE;  
U.S. DEPARTMENT OF HOMELAND  
SECURITY,

Defendants-Appellants,

and

CITY OF PORTLAND, a municipal  
corporation; et al.,

Defendants.

No. 20-35739

D.C. No. 3:20-cv-01035-SI  
District of Oregon,  
Portland

ORDER

Before: McKEOWN, MILLER, and BRESS, Circuit Judges.

Order by Judges MILLER and BRESS, Dissent by Judge McKEOWN

We have received appellants' emergency motion at Docket Entry No. 7 seeking to stay the district court's August 20, 2020 order pending resolution of this appeal. Appellants' request for an immediate administrative stay of the district court's August 20, 2020 order pending resolution of the emergency motion is granted. *See Nken v. Holder*, 556 U.S. 418, 426 (2009). Based on our preliminary review, appellants have made a strong showing of likely success on the merits that

LAB/MOATT

the district court's injunction exempting "Journalists" and "Legal Observers" from generally applicable dispersal orders is without adequate legal basis. Given the order's breadth and lack of clarity, particularly in its non-exclusive indicia of who qualifies as "Journalists" and "Legal Observers," appellants have also demonstrated that, in the absence of a stay, the order will cause irreparable harm to law enforcement efforts and personnel. The August 20, 2020 order is stayed, temporarily, pending resolution of the emergency motion. This administrative stay preserves the status quo as it existed before the district court's preliminary injunction and temporary restraining order.

This order does not disturb the portion of the district court's August 20, 2020 order directing the parties to confer regarding identifying markings and directing that the parties submit proposals to the district court within 14 days if the parties cannot reach an agreement. However, the district court shall not issue a final order regarding identifying markings pending this court's resolution of the emergency motion.

Appellees' response to the emergency motion is due by 9:00 a.m. PDT September 2, 2020. Appellants' optional reply is due by 5:00 p.m. PDT September 3, 2020.



McKEOWN, Circuit Judge, dissenting:

I respectfully dissent and would deny the Federal Defendants' request for an administrative stay. The factual conclusions underlying the entry of a preliminary injunction are reviewed for clear error. *See Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011). In light of the deferential review accorded to the district court's factual finding at this stage, the district court's extensive factual findings with respect to journalists and legal observers, including the finding that the injunction would not impair law enforcement operations to protect federal property and personnel, and the fact that a temporary restraining order has been in place since July 23, 2020, the government has failed to meet its burden to demonstrate either an emergency or irreparable harm to support an immediate administrative stay. I concur in the order with respect to the markings.

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 8/28/2020 2:54:44 PM  
**To:** SRTHQ; (b)(7)(E); (b)(7)(E)  
**Subject:** FW: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Stayed by Ninth Circuit  
**Attachments:** Index Newspapers Portland Civil Unrest Preliminary Injunction 8-20-20.pdf; PI Guidance - Index Newspapers.pdf; Index Newspapers - Govt Motion for Stay Pending Appeal 082520.pdf; Index Newspapers Portland Civil Unrest Preliminary Injunction Ninth Circuit Stay 8-27-20.pdf

FYSA – Added some highlights on the key parts. Good news...and good work out of OCC.

(b)(6), (b)(7)(C)

Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



**From:** (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C)  
**Sent:** Friday, August 28, 2020 10:15 AM  
**To:** (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (OPR); (b)(6), (b)(7)(C)  
**Cc:** STUNTZ, SHELBY (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC)  
**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Stayed by Ninth Circuit

Gentlemen,

I'm extremely happy to report that last night the Ninth Circuit issued the attached order granting our motion for an administrative stay pending our request for emergency review of the Index Newspapers preliminary injunction. Of particular note, the Ninth Circuit panel, in this 2-1 decision, opined as follows:

Based on our preliminary review, [the U.S. Government] appellants have made a strong showing of likely success on the merits that the district court's injunction exempting "Journalists" and "Legal Observers" from generally applicable dispersal orders is without adequate legal basis. Given the order's breadth and lack of clarity, particularly in its non-exclusive indicia of who qualifies as "Journalists" and "Legal Observers," appellants have also demonstrated that, in the absence of a stay, the order will cause irreparable harm to law enforcement efforts and personnel. **The August 20, 2020 order is stayed, temporarily, pending resolution of the emergency motion.** This administrative stay **preserves the status quo as it existed before the district court's preliminary injunction and temporary restraining order.**

This order does not disturb the portion of the district court's August 20, 2020 order directing the parties to confer regarding identifying markings and directing that the parties submit proposals to the district court within 14 days if the parties cannot reach an agreement. However, the district court shall not issue a final order regarding identifying markings pending this court's resolution of the emergency motion.

Please let us know if you have questions or would like to discuss.

**(b)(6), (b)(7)(C)**

Deputy Assistant Chief Counsel  
Advanced Training Center  
U.S. Customs and Border Protection  
440 Koonce Rd  
Harpers Ferry, WV 25425

**(b)(6), (b)(7)(C)** (Office)  
**(b)(6), (b)(7)(C)** (Mobile)

**(b)(6), (b)(7)(C)**

~~This message is attorney-work product and may contain privileged or confidential attorney-client information.  
This message may not be disclosed outside of U.S. Customs and Border Protection without the express prior  
authorization of the Commissioner of CBP and the Office of the Chief Counsel. If this message has been  
received in error, please notify the sender immediately.~~

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 8/27/2020 12:47:02 PM

**To:** SRTHQ; (b)(7)(E)  
(b)(6), (b)(7)(C)

**Subject:** FW: Clark v. Wolf -- Seventh Portland Complaint Filed

**Attachments:** Clark v. Wolf.pdf; Index Newspapers - Govt Motion for Stay Pending Appeal 082520.pdf

FYSA for now. Will standby for further information and implications from (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
 Director, Special Operations Division  
 Office of Field Operations  
 U.S. Customs and Border Protection  
 Office: (b)(6), (b)(7)(C)  
 Cell: (b)(6), (b)(7)(C)



**From:** (b)(6), (b)(7)(C)

**Sent:** Thursday, August 27, 2020 8:43 AM

**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

**Subject:** FW: Clark v. Wolf -- Seventh Portland Complaint Filed

(b)(6), (b)(7)(C)  
 Deputy Executive Director – Operations  
 Office of Field Operations  
 U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (office)  
 (b)(6), (b)(7)(C) (cell)

**From:** COUREY, MARC BENNETT (OCC); (b)(6), (b)(7)(C)

**Sent:** Wednesday, August 26, 2020 9:19 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO); (b)(6), (b)(7)(C) DANLEY, ROBERT (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C); FERRARA, WILLIAM (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) DAVIES, MATTHEW S (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C); WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

**Subject:** Clark v. Wolf -- Seventh Portland Complaint Filed

Commissioner and Deputy Commissioner -- We write to update you on the filing of a seventh matter relating to federal operations in Portland. On Monday, August 24, Angelica Clark, Ellen Gass, Nathaniel West, and Rowan Maher filed a class action lawsuit in the District Court of Oregon against Acting Secretary Wolf, Acting Deputy Secretary Cuccinelli, and unknown agents of USMS, FPS, DHS, and CBP.

(b)(5)

On a related note with respect to Portland litigation, the Government's motion for a stay pending appeal of the *Index Newspapers* Preliminary Injunction was filed with the Ninth Circuit yesterday and is attached for reference. Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~Attorney Work Product / Attorney-Client Privileged~~

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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

ANGELICA CLARK, ELLEN GASS,  
NATHANIEL WEST, and ROWAN MAHER,  
Individually and on behalf of all similarly-  
situated individuals

Plaintiffs

Civil Action No.

v.

CHAD WOLF, Acting Secretary United States  
Department of Homeland Security;  
KENNETH T. CUCCINELLI, Senior Official  
Performing the Duties of the Deputy Secretary  
United States Department of Homeland  
Security; JOHN DOES 1-200, agents of the  
U.S. Marshals Service, Federal Protective  
Service, U.S. Department of Homeland  
Security and U.S. Customs and Border  
Protection, acting in concert and in their  
Individual capacities,

Defendants.

CLASS ACTION ALLEGATION  
COMPLAINT

Bivens Fourth Amendment Unlawful  
Arrest, Excessive Force

JURY TRIAL DEMANDED

**CLASS ACTION ALLEGATION COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff brings this complaint herein alleging as follows:

**INTRODUCTORY STATEMENT**

*“We cannot understand our present moment without recognizing the lasting damage caused by allowing white supremacy and racial hierarchy to prevail . . .”* Bryan Stevenson, Director Equal Justice Initiative.

1.

On May 25th, 2020, a Black man named George Floyd was murdered in Minneapolis, MN, by Officer Derek Chauvin. Chauvin held his knee to Floyd's neck for at least eight minutes and 46 seconds while his fellow police officers stood by and casually watched Floyd die. Floyd's final words were, "I can't breathe." Chauvin and his fellow officers ignored the pleas for mercy coming from bystanders, including the teenage girl whose footage alerted the world to this particular instance of police brutality.

2.

Following George Floyd's gruesome public murder, protests erupted nationwide in support of the Black Lives Matter (BLM) movement and against systemic racism, police brutality and use of excessive force. Police met these protests with violence, brutality and excessive force.

3.

On May 28th, thousands of people began months of sustained protests in Portland. Portland Police Bureau officers met these protests with excessive force in the form of generalized violence, including the use of batons, pepper balls, sonic weapons and, most notably, tear gas, in the midst of a global pandemic that attacked respiratory systems.

4.

Between June 9, 2020 and June 30, 2020, emergency court orders, city directives, and new police reforms in state law placed limitations on the use of tear gas and other force.

5.

On June 26th, 2020, in reaction to the measures taken by state and local actors to de-escalate police violence against protesters, medics, legal observers, press, and the public,



President Trump issued Executive Order 13933, to unlawfully deploy federal agents to Portland. Following the deployment, unidentified agents in military fatigues emerged for the first time from the federal courthouse and engaged with members of the public as enemy combatants.

6.

On July 6, 2020, Kevin Sonoff, spokesperson for the Portland U.S. Attorney Billy Williams, indicated that the ostensible purpose of the deployment was to protect federal property and personnel.<sup>1</sup> However, immediately following their arrival, federal agents acted to quell nonviolent protesters by engaging in crowd-dispersal operations, deploying tear gas and impact munitions well beyond the immediate surroundings of federal property.

7.

Over the month of July, at the directive of President Trump, Acting DHS Secretary Chad Wolf, and Senior Official Performing the Duties of the DHS Deputy Secretary Kenneth Cuccinelli, the federal government unleashed unprecedented, sustained violence and intimidation on the people of Portland. Since their arrival, federal agents have escalated violence on a nightly basis by targeting nonviolent and non-resisting individuals for injury, assault, or arrest without probable cause. Federal agents chased down protesters, observers, medics, journalists, and even bystanders through the streets, pursuing them as many as ten blocks beyond federal property while simultaneously firing potentially lethal munitions including Pepper-spray balls, rubber bullets and flashbang grenades. Federal agents blanketed numerous blocks of Portland public streets surrounding the courthouse in toxic tear gas and chemical agents during a global pandemic, concealing or blocking the pathways for protestors to safely disperse. On their own

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<sup>1</sup> <https://www.opb.org/news/article/federal-law-enforcement-agencies-deployed-to-portland-protests-federal-buildings-personnel/>

behalf and on behalf of others similarly situated, plaintiffs bring this action for declaratory relief and damages.

### **JURISDICTION**

8.

This action is brought pursuant to the Fourth Amendment to the United States Constitution and *Bivens v. Ten Unnamed Federal Officers*, 403 U.S. 388 (1971), for violations of Constitutional rights held by all citizens.

9.

This court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.

10.

Plaintiffs are in the process of filing Form 95, giving notice under the Federal Tort Claims Act of intention to sue the United States for damages.

11.

Venue is proper under 28 U.S.C. § 1391(b), because all or a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in the District of Oregon, because defendants are subject to personal jurisdiction in the District of Oregon

### **PARTIES**

12.

Plaintiffs and similarly situated individuals ("class members") attended one or more protests described in this lawsuit.

13.

Plaintiffs and class members gathered in downtown Portland near the Hatfield Courthouse to protest police violence in support of the Black Lives Matter movement. The class

consists of people who, between July 1 and July 30, 2020, lawfully gathered in an area bounded by SW Taylor St. on the north, SW 2<sup>nd</sup> Ave. on the east, SW Madison St. on the south, and SW 4<sup>th</sup> Ave. (“protest zone”) on the west to protest police violence, who were exposed to teargas (“Tear Gas Class”). The following people are excluded from the class: defendants, class counsel and their employees, any judge who sits on this case and their judicial staff, and any juror appointed to serve on the jury that will hear and decide this case.

14.

In addition to the class, there are two subclasses. The first subclass consists of members of the Tear Gas Class who were also hit by munitions in or near the protest zone, including less-lethal munition, tear gas cannisters, and sonic grenades (“Shooting Subclass”). The second subclass consists of members of the Tear Gas Class who were beaten by defendants in or near the protest zone (“Truncheon Subclass”).

15.

Defendant Wolf is the Acting Secretary of the Department of Homeland Security. Defendant Cuccinelli is the Senior Official Performing the duties of the Deputy Secretary of the Department of Homeland Security. Based on information and belief, neither defendant Wolf nor Defendant Cuccinelli were lawfully appointed to their positions.

16.

The Doe Defendants have concealed their identities and their names and/or they are not yet fully known to plaintiff. On information and belief, Does 1-200 are federal agents dispatched to Portland, Oregon as part of “Operation Diligent Valor” in furtherance of the Executive Order of June 26, 2020 “On Protecting American Monuments, Memorials, and Statues and Combatting Recent Criminal Violence” pertaining to protection of federal property. Based on information

and belief, no more than three of defendants Does 1-200 are authorized to make arrests for non-federal offenses in Oregon nor to enforce state law. At least 197 of defendants Does 1-200 lack authority to enforce state law or to make arrests for non-federal offenses in Oregon. Each of said defendants is responsible for and integral participants with one another in the conduct alleged herein.

17.

Defendant John Does 1-50 are individual and supervisory officers of the U. S. Marshals Service, sued in their individual capacities. At all times material, said defendants were acting within the scope of their employment and under color of law.

18.

Defendant John Does 51-100 are individual and supervisory officers of the Federal Protective Service, sued in their individual capacities. At all times material, said defendants were acting within the scope of their employment and under color of law.

19.

Defendant John Does 101-150 are individual and supervisory officers of the U.S. Department of Homeland Security, sued in their individual capacities. At all times material, said defendants were acting within the scope of their employment and under color of law.

20.

Defendant John Does 151-200 are individual and supervisory officers of the U.S. Customs and Border Protection, sued in their individual capacities. At all times material, said defendants were acting within the scope of their employment and under color of law.

21.

Plaintiff reserves the right to amend and add additional Defendants as discovery proceeds, including without limitation, any supervisor or individual involved in the events alleged in this complaint.

### **CLASS ALLEGATIONS**

22.

Based on media reports, thousands gathered in the protest zone in evenings between July 1, and July 30, 2020, and the gathered crowds were exposed to teargas. Based on media reports, the class is so numerous that joinder is impracticable (Fed. R. Civ. P. 23(a)(1)).

23.

There are questions of law or fact common to the class (Fed. R. Civ. P. 23(a)(2), including:

- A. The identities of Does 1-200;
- B. The employers of Does 1-200;
- C. The legal authority under which Does 1-200 acted;
- D. Whether use of tear gas for crowd control violated the 4<sup>th</sup> Amendment rights of members of the Tear Gas Class;
- E. The use of force policies under which Does 1-200 operated;
- F. The use of force training provided to Does 1-200;
- G. The use of force practices employed by Does 1-200;
- H. The crowd control policies under which Does 1-200 operated;
- I. The crowd control training provided to Does 1-200;
- J. The crowd control practices employed by Does 1-200;

- K. The authority under which Does 1-200 were operating at the time they were deployed to Portland, including their authority to use force beyond the perimeter of federal buildings and their authority to pursue, gas, beat, shoot, and arrest protesters beyond the perimeter of federal buildings;
- L. Whether Does 1-200 were authorized to use tear gas and fire munitions at plaintiffs and members of the class who posed no threat to Does 1-200;
- M. Whether each of Does 1-200 who deployed crowd control weapons and munitions were trained and certified in the use of those weapons and munitions;
- N. Whether, and under what circumstances, plaintiffs and members of the class are entitled to obtain and review protest zone surveillance information and data pertaining to members of the class;
- O. Whether Does 1-200 have in fact withdrawn from Portland;
- P. Whether plaintiffs and members of the classes are entitled to declaratory relief;
- Q. Whether qualified immunity is an available defense to the damages claims;
- R. Whether if qualified immunity is an available defense, the legal effect of the proceedings and injunction issued in in *Don't Shoot Portland, et al v. City of Portland*, US District Court Case No. 20-cv-917-HZ (D. Or.);
- S. The legal effect of the temporary restraining order, preliminary injunction, and proceedings in *Index Newspapers LLC, et al v. City of Portland, et al*, US District Court Case No. 20-cv-1035-SI (D. Or.);
- T. The admissibility of statements made by President Trump;
- U. The admissibility of statements made by certain federal officials;

V. Whether plaintiffs and members of the classes state claims for which relief may be granted Fed. R. Civ. P. 12(b)(6); and

W. Whether plaintiffs and members of the classes are entitled to recover money damages.

24.

The claims or defenses of the representative parties are typical of the claims or defenses of the classes, in that all suffered similar injuries from the same conduct, and all seek the same relief.

25.

The representative parties will fairly and adequately protect the interests of the class, in that they have identical claims, they have no disabling conflicts of interest, and they have retained counsel with decades of experience handling class actions, mass torts, police misconduct cases, civil rights cases, and personal injury cases. Class counsel includes counsel with extensive experience, including trial, appeal, and settlement of class actions and complex cases in federal and state courts, police misconduct cases, civil rights cases, and injury cases.

26.

A class action may be maintained because defendants have acted or refused to act on grounds that apply generally to the class, so that declaratory relief is appropriate. Fed. R. Civ. P. 23(b)(2). As well, a class maintained because common questions of law or fact predominate over any questions affecting only individual members, and a class action is superior to other available methods of fairly and efficiently adjudicating the controversy (Fed. R. Civ. P. 23(b)(3)), in that:

A. The vast majority of class members have little interest in individually controlling the prosecution of separate actions;

- B. As to these proposed classes, counsel are unaware of any other class actions for damages and know of only a few potential cases that may be filed individually, the bulk of which involve protesters with serious and permanent physical injuries from shootings;
- C. The harms giving rise to this litigation occurred in or near a zone adjacent to Hatfield courthouse. It is desirable to concentrate the litigation in Oregon; and
- D. The likely difficulties in managing a class action arise from issues of confirmation of class membership. However, that issue may be largely resolved by using government surveillance from the protest zone to confirm class members' identities, to the extent that is necessary. As well, issues related to actual injury and extent of injury may be managed through a claims or administrative process.

### **GENERAL FACTS**

#### **George Floyd Death May 25, 2020**

27.

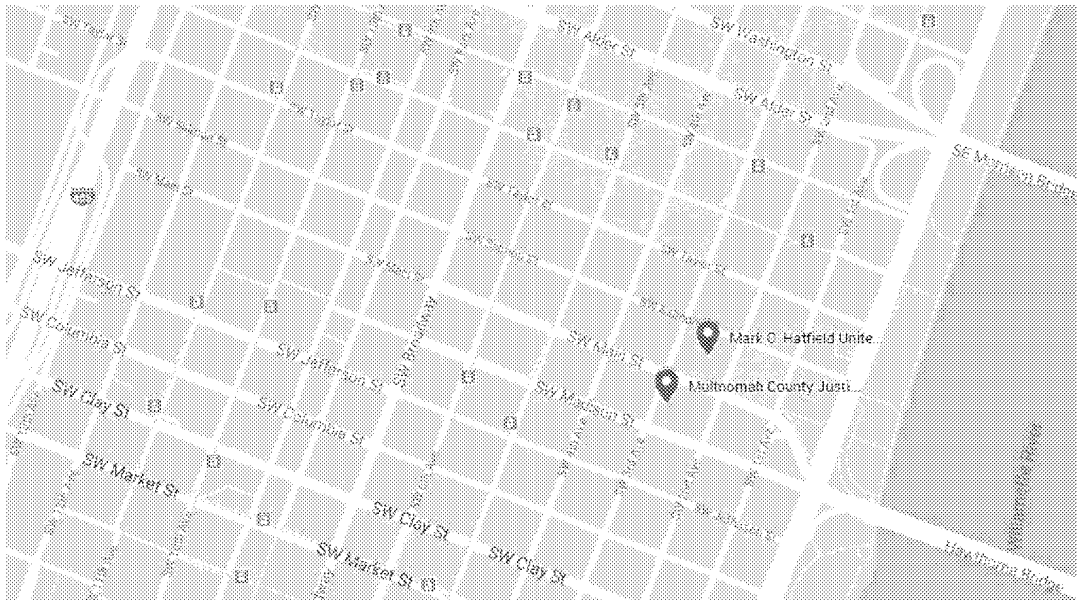
Protests across the country have been met with a police system which has become highly militarized, heavily armed and completely distant from the communities they serve. The police response to many of the protests involve needless beatings, use of extreme measures by officers in gear which appear to be more like soldiers than police officers.





28.

Protests in Portland, Oregon in reaction to Mr. Floyd's death commenced in May 2020 and have continued each night for more than 88 nights, as of the date filing. While protests have been held all over the City of Portland, in July demonstrators have tended to merge and gather into the evenings around the United States Courthouse on S.W. 3rd Avenue in downtown Portland and the three park blocks directly west of the courthouse; as well as the Multnomah County Justice Center to the south. Protesters report being chased or followed by federal agents as far west as I-405, approximately ten blocks from the Mark O. Hatfield Federal Courthouse.



### **Incursion of Federal Agents**

29.

On July 1, 2020, the Trump administration deployed federal law enforcement officers and agents to Portland, Oregon. According to a statement made by Kevin Sonoff, spokesperson for the Portland U.S. Attorney, Billy Williams, on July 6, 2020, the ostensible purpose of the

deployment was to protect federal property and personnel.<sup>2</sup> However, immediately following their arrival, federal agents engaged in crowd-dispersal operations, deploying tear gas and impact munitions well beyond the immediate surroundings of federal property and with the apparent purpose of quelling lawful protests in support of Black lives rather than protecting federal property.

30.

It appears all or most of the federal agents deployed to Portland are not adequately trained in the First Amendment rights to assemble and protest, nor mass demonstrations, crowd control and riot control.<sup>3</sup>

31.

Since their arrival, federal agents have failed to employ de-escalation strategies or tactics to mitigate violence and protect the rights of peaceable assembly and protest. Instead, federal agents have escalated violence on a nightly basis by targeting peaceful and lawfully dispersing individuals for injury or assault without probable cause, pursuing protesters, observers and journalists through the streets blocks beyond federal property while simultaneously firing Pepper-spray balls, rubber bullets and other munitions at them, and blanketing several blocks of Portland streets surrounding the courthouse in tear gas and flashbang devices, concealing the pathways for protestors to safely disperse.

32.

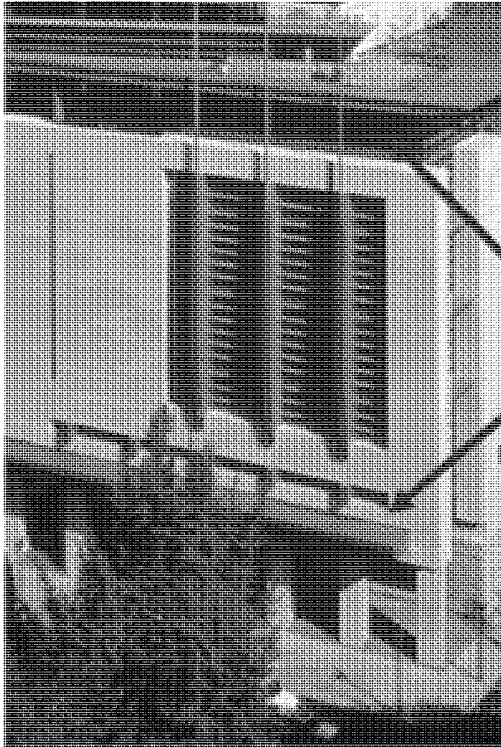
On or after July 22, the federal agents built a chain link fence around the courthouse and reinforced it with plywood and concrete blocks. The ferocity, frequency, and amount of force

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<sup>2</sup> <https://www.opb.org/news/article/federal-law-enforcement-agencies-deployed-to-portland-protests-federal-buildings-personnel/>

<sup>3</sup> <https://www.nytimes.com/2020/07/18/us/portland-protests.html>

used against members of the public escalated. At the direction of supervisors, federal agents also fired munitions from within the safety of the fenced-in portion of the front steps of the courthouse and from safe positions several stories up in the federal courthouse into crowds of nonviolent, passively resistant protestors and others.



Tear gas deployed from elevated positions while crowd is standing below.

33.

On July 23, 2020, United States District Judge Michael Simon issued a temporary restraining order (“TRO”) in *Index Newspapers, LLC, et al v. City of Portland, et al*, USDC Case No. 20-cv-1035-SI, exempting journalists and legal observers from orders to disperse and restraining federal defendants U.S. Department of Homeland Security and U.S. Marshals Service from arresting, threatening to arrest, or using physical force directed against any person who they know or reasonably should know is a journalist or legal observer. The TRO anticipates,

consistent with the U.S. Constitution and federal law, that “lawful crowd-dispersal orders” will be issued prior to the deployment of crowd-control devices.

34.

On or about July 23, 2020, following the entry of a temporary restraining order against federal officials involved in the July protest response, defendant Cuccinelli sent an email to Defendant Wolf in reference to the TRO, saying, “It’s offensive, but shouldn’t affect anything we’re doing.”

35.

Indeed, the federal defendants did not alter their behavior and deployed and directed excessive force at plaintiffs and members of the class.

36.

Federal agents have used tear gas in a predictable and frequently unlawful pattern. Nightly, between approximately 11:30 p.m. and 1:00 a.m., federal agents emerge from the federal courthouse and fire tear gas and toss and launch flashbang grenades into SW Third Street, Lownsdale Park and SW Fourth Street, sometimes without any prior warning and regardless of whether there have been triggering acts of protester violence, property damage or threats (tossed bottles and fireworks) toward federal agents (all of whom are wearing gas masks and full protective riot gear and located either safely inside the courthouse or behind a fence and other protective barriers outside the courthouse).

37.

After an initial volley of tear gas and flashbang grenades, federal agents commence firing pepper balls through and over the fencing at protestors and flood the street, shooting protestors with rubber bullets, pepper-spray balls, and other impact munitions regardless of whether they

have been engaged in acts of violence, or are peacefully dispersing or leaving the area or are in retreat, and even when they are moving away from federal property or standing blocks away from the federal courthouse and posing no possible threat to federal property, federal agents or others.

### **Right to Protest**

38.

Demonstrations, protest marches, and picketing are clearly protected by the First Amendment. People have a right to demonstrate and protest the actions of government officials, including police officers, without fear for their safety and “[i]t has been clearly established since time immemorial that city streets and sidewalks are public fora.” *Collins v. Jordan*, 110 F.3d 1363, 1371 (9<sup>th</sup> Cir 1996).

39.

The government may not prohibit angry or inflammatory speech in a public forum unless it is (1) directed to inciting or producing imminent lawless action *and* (2) likely to incite or produce such action. *Brandenburg v. Ohio*, 395 U.S. 444, 447, 89 S.Ct. 1827, 1829, 23 L.Ed.2d 430 (1969) (per curiam). Speech that stirs passions, resentment or anger is fully protected by the First Amendment. *Terminiello v. Chicago*, 337 U.S. 1, 4, 69 S.Ct. 894, 896, 93 L.Ed. 1131 (1949) (“[A] function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger.”).

### **Status of Protestor Rights Prior to Incursion of Federal Agents**

40.

On June 9, 2020, Judge Marco Hernandez issued a temporary restraining order in *Don't*

*Shoot Portland, et al v. City of Portland*, US District Court Case No. 20-cv-917-HZ, prohibiting the City of Portland, Portland Police Bureau, from use of tear gas except when lives or safety of the public or the police are at risk. In entering the order, Judge Hernandez specifically found:

[T]here is evidence that officers have violated the constitutional rights of peaceful protestors, as well as their own department's internal directives and guidelines. Limiting the use of tear gas may mean that officers are unable to stop some property damage. But the unconstrained use of tear gas cannot weigh in the public's interest when this use is likely to exacerbate the transmission of COVID-19, for those engaged in peaceful protest as well as the community at large. The Court therefore finds that the public interest weighs in favor of granting a TRO in this case.

41.

On June 26, 2020, pursuant to stipulation, Judge Hernandez extended the restraining order entered in *Don't Shoot Portland* through July 24, 2020 and expanded its scope to restrict use of the following munitions in connection with crowd control:

- (1) FN303s and 40MM less lethal launchers with or without OC payload are limited to use as outlined in PPB Use of Force Directive 1010, and in addition shall not be used where people engaged in passive resistance are likely to be subjected to the force.
- (2) Rubber Ball Distraction Devices ("RBDD") shall be limited to use as outlined in PPB Use of Force Directive 1010. In addition, use of RBDD shall be limited to situations in which the lives or safety of the public or the police are at risk and shall not be used to disperse crowds where there is no or little risk of injury.
- (3) Aerosol restraints (handheld OC or "pepper spray") shall not be used against persons engaged in passive resistance, and consistent with PPB Use of Force Directive 1010, members shall minimize exposure to non-targeted persons.
- (4) Long Range Acoustical Devices ("LRAD") shall be prohibited for use as a warning signal or distraction tactic and shall be used for announcements only. "Passive resistance" as used above means a person's non-cooperation with a member that does not involve violence or other active conduct by the individual.

42.

On June 30, 2020, Governor Brown signed House Bill 4208 into law, which prohibits the use of teargas on a crowd absent circumstances that constitute a “riot” and absent fair notice, consisting of: a) an announcement of the agency’s intent to use tear gas; b) allowance of sufficient time for individuals to evacuate the area; and c) a second announcement of intent to use tear gas immediately before its use.

43.

Every night of July 2020, Defendants attacked nonviolent, non-resisting protesters.

44.

On July 28, 2020, and in direct response to the federal agents’ unlawful actions, the Index Newspapers plaintiffs filed a Motion for Contempt and Sanctions Against Federal Defendants, which is now pending.

45.

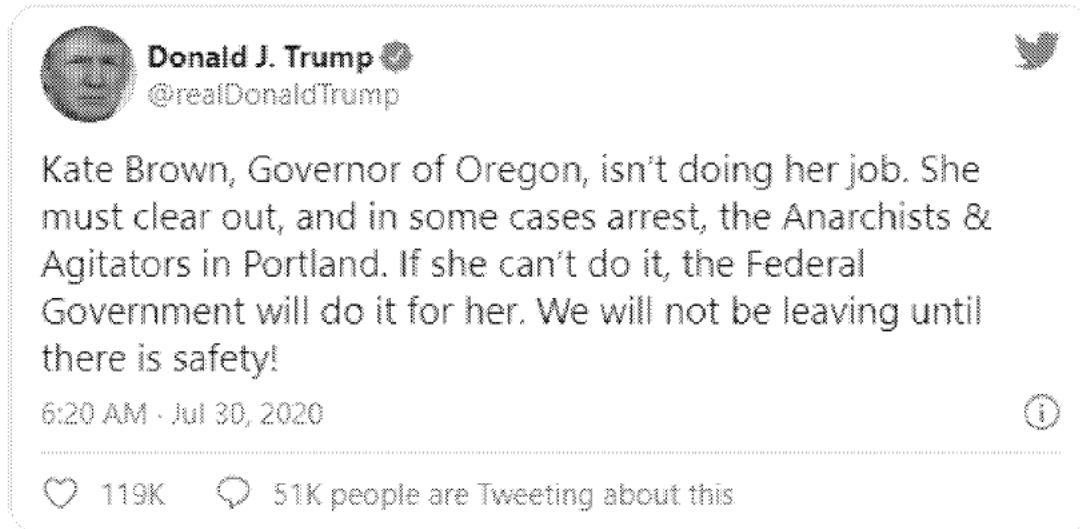
On July 29, 2020, Governor Kate Brown announced she had reached an agreement with the United States to withdraw all federal agents from the Portland protest effort no later than August 4, 2020.<sup>4</sup>

46.

On July 30, 2020, President Trump Tweeted:

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<sup>4</sup> . <https://www.opb.org/article/2020/07/29/oregon-portland-deal-announced-federal-officers-phased-removal/>



<https://twitter.com/realDonaldTrump/status/1288826742539464707?s=20>

47.

The day of Governor Brown's announcement, the federal agents still occupying the federal courthouse in Portland reportedly increased their use of force and appeared to be defiantly ignoring any efforts or attempts to reduce violence and unlawful use of force.<sup>5</sup>

## **Characteristics of Crowd Control Devices Deployed by Federal Agents**

### **A. Chemical Agents**

48.

"Tear gas" is a group of chemical compounds that temporarily make people unable to function by causing irritation to the eyes, mouth, throat, lungs and skin.<sup>6</sup> It is a form of poison. People may experience some or all of the following symptoms immediately after exposure:

<sup>5</sup> <https://www.theguardian.com/us-news/2020/jul/30/federal-agents-portland-oregon-trump-troops>

<sup>6</sup> <https://emergency.cdc.gov/agent/riotcontrol/factsheet.asp>



excessive tearing, burning, blurred vision and redness of the eyes, runny nose, burning and swelling within the nose, difficulty swallowing and drooling, chest tightness, coughing, choking sensation, wheezing, shortness of breath, burns and rash on the skin, nausea and vomiting. It can bring on an asthma attack. Prolonged exposure or a large dose of gas may cause blindness, glaucoma, or immediate death due to severe chemical burns to throat and lungs and respiratory failure. There is also anecdotal evidence that tear gas may cause reproductive health concerns for people with uteruses including miscarriages.<sup>7</sup>

49.

“Pepper-spray” and “OC” (oleoresin capsicum) aerosols are chemical compounds derived from chilli peppers. Capsaicin is the compound that makes chili peppers spicy hot. There are powder forms of these compounds, as well. Pepper-spray, similar to tear gas, attacks mucous membranes in the eyes and respiratory system, forcing eyes to close and flood with tears and generating coughing fits and difficulty in breathing. Pepper-spray also induces an intense burning sensation. The immediate effects can last anywhere from 15 minutes to one hour or more.

50.

“Pepper-spray balls” are round plastic projectiles that release a powdered substance on impact that has effects similar to pepper spray. Pepper-spray balls are fired from a pistol or AR-15 like “launcher” using compressed air. Some varieties of launchers allow for adjustable kinetic impact. In addition to the dangers of pepper spray, pepper-spray balls carry the dangers inherent in any projectile that is shot at someone up to and including blindness, cuts, abrasions, bruising,

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<sup>7</sup> <https://www.salon.com/2020/07/28/experts-alarmed-at-reports-of-expired-tear-gas-being-sprayed-on-protesters/>

skin welts and concussion. Their accuracy declines over relatively short distances, creating a high risk of bystander injury.

### **B. Kinetic Impact Projectiles**

51.

“Rubber bullets or pellets,” “baton rounds,” “sponge rounds” and “bean bag” rounds are lightweight, high-speed kinetic impact projectiles fired from a rifle-like “launcher” or shotgun at velocities similar to live ammunition, but their design causes a rapid slowdown during flight. They are loosely designed to duplicate the impact of a baton strike from a distance at or beyond 60 feet. The rounds deliver the same kinetic force as a 90 mile per hour major league baseball pitch. If struck in the head, face, eye, neck, kidney or groin, they can produce grievous injuries or death.<sup>8</sup> Their accuracy declines over relatively short distances creating a high risk of bystander injury.

### **C. Disorientation Devices**

52.

“Disorientation devices” or “flashbangs” or “stun grenades” create a loud explosion and/or a very bright flash of light. They are made of both metal and plastic parts that may fragment during the explosion and carry risks of blast injuries and hearing loss. They may be deployed by hand or by a launcher. Explosions in close proximity to a person can cause or lead to amputation, fractures, burns, blindness and other serious injuries. It is impossible to control exactly where a grenade detonates.

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<sup>8</sup> <https://phr.org/wp-content/uploads/2018/09/lethal-in-disguise.pdf>

### **Surveillance of Protesters**

53.

Based on information and belief, government agencies, defendants, and Does 1-200 obtained surveillance of protesters in and around the protest zone, including video and data images from fixed and mobile cameras, cell phone data, drone footage, and other digital media. This surveillance information provides independent confirmation of class membership. In addition, it provides important evidence of the conduct of defendants and proof of the claims of plaintiffs and the class.

### **Defendants' Violations of Plaintiff's Constitutional Rights**

54.

Plaintiffs Clark, Gass, West, and Maher attended the Black Lives Matter protests in July 2020 and were exposed to tear gas on one or more occasions as set out in more detail below. In addition, plaintiffs Clark, Gass, and Maher were struck by munitions, plaintiff West was harmed by a concussion grenade, and plaintiff Maher was beaten.

55.

Defendants violated plaintiffs and class members Fourth Amendment rights in one or more of the following ways:

- A. Defendants repeatedly used tear gas indiscriminately on plaintiffs and class members, who at all material times were engaged in peaceful, lawful protests;
- B. Defendants departed federal property and entered municipal streets and parks while chasing protesters and spraying them with tear gas, lobbing percussion grenades, firing impact munitions, and generally assaulting the protesters without lawful purpose or objective; and

C. One or more of defendants' supervisors or authorized representatives have communicated via social media, press releases and press conference they are aware their activities lack probable cause and they are ordered to use force and make arrests despite the lack of legal authority and justification.

56.

Plaintiff Clark attended demonstrations and was exposed to tear gas in the protest zone on July 25-26, 2020. As a result of exposures to the tear gas, plaintiff Clark suffered pain, discomfort, respiratory distress, temporary blindness, and temporary loss of mobility. In addition, on July 26, 2020, at approximately 2:00 am, plaintiff Clark was struck in the hand by munitions fired while she was standing near the corner of SW 4<sup>th</sup> Ave. and Salmon St. The munitions caused pain, bruising, blistering, and fear. At all times, plaintiff Clark lawfully and peacefully protested on behalf of Black lives and the Black Lives Matter movement.

57.

Plaintiff Gass attended demonstrations and was exposed to tear gas in the protest zone on July 24, 2020. As a result of exposures to the tear gas, plaintiff Gass suffered pain, discomfort, mental distress, respiratory distress, temporary blindness, and temporary loss of mobility. In addition, on the same day, plaintiff Gass was struck in the left foot by impact munitions fired while standing in the protest zone among a group of nonviolent, peaceful protesters. Plaintiff Gass was also struck by pepper-spray balls in the head and face causing pain and discomfort. The impact munitions broke plaintiff Gass's great toe, causing pain and suffering, and interference with normal activities of daily life. At all times, plaintiff Gass lawfully and peacefully protested on behalf of Black lives and the Black Lives Matter movement.

58.

Plaintiff West attended demonstrations and was exposed to tear gas in the protest zone on the following days: July 21, 22, 24, and 25. As a result of exposures to the tear gas, plaintiff West suffered pain, discomfort, mental distress, respiratory distress, temporary blindness, and temporary loss of mobility. In addition, on July 25, one or more defendants fired stun grenades close to plaintiff West, which detonated close to him, causing hearing loss, pain, and disorientation. At all times, plaintiff West lawfully and peacefully protested on behalf of Black lives and the Black Lives Matter movement.

59.

Plaintiff Maher attended demonstrations and was exposed to tear gas in the protest zone on the following days: July 21-22, July 23-24, July 25-26, and July 29-30. As a result of exposures to the tear gas, plaintiff Maher suffered pain, discomfort, respiratory distress, temporary blindness, and temporary loss of mobility. In addition, plaintiff Maher suffered the following additional harms:

- A. On July 22, at approximately 12:30-1:00 am, a federal agent wearing military camouflage fatigues beat plaintiff Maher with a baton while she was walking away from the federal courthouse near Lownsdale Square. As a result of this beating, plaintiff Maher suffered pain, bruising, and fear.
- B. On July 22, at approximately 2:00-3:00 am, plaintiff Maher was struck in the head by munitions fired while standing on SW Main St. between 5<sup>th</sup> and 6<sup>th</sup> Ave. The munition was a “pepper-spray ball,” which impacted her bike helmet and remains lodged within.

As a result of this shooting, plaintiff Maher suffered fear and concern for her safety. At all times, plaintiff Maher lawfully and peacefully protested on behalf of Black lives and the Black Lives Matter movement.

60.

Defendants used and applied force against plaintiffs and members of the class without a clearly communicated warning, without a lawful determination and announcement that plaintiffs and members of the class were unlawfully assembled, and without first clearly communicating a lawful order to disperse.

**FIRST CLAIM FOR RELIEF: Unreasonable Use of Force**

*Bivens* - Fourth Amendment

61.

Plaintiffs reallege all previous paragraphs as if fully set forth herein.

62.

Plaintiffs and members of the class are entitled to be free from unlawful seizure of their person pursuant to the parameters of the 4<sup>th</sup> Amendment to the United States Constitution. Plaintiffs and members of the class are also entitled to be free from undue, unreasonable, and deadly force, including:

- A. The use of tear gas without lawful justification, for the sole purpose of crowd dispersal, or as a pain compliance tool;
- B. The shooting of pepper-spray balls indiscriminately or directly at their person, including when displaying no violence or resistance, or when their back is turned while attempting to retreat or obey an order to disperse;
- C. The spraying of pepper spray to inhibit their ability to see;

- D. The beating of their person with batons, fists, or other weapons;
- E. Arrest without probable cause, and
- F. Exploding grenades designed to disorient and confuse rather than to rebut force, effect a custodial arrest or preserve life and safety.

63.

The defendants did not have, at any time, a legally valid basis to seize plaintiffs and members of the class and, at all times material, lacked an objectively reasonable belief that plaintiffs and members of the class presented an imminent and serious danger to themselves or others. As such, Defendants' use of force violated the Fourth Amendment restriction on use of force.

64.

The defendants unlawfully seized plaintiffs and members of the class by means of excessive physical force, including the use of chemical agents, kinetic impact munitions and diversionary devices as described above.

65.

The defendants had no warrants authorizing any seizure of plaintiffs and members of the class.

66.

Each of the defendants failed to intervene to prevent the other defendants from violating the constitutional rights of plaintiffs and members of the class and is liable for their failure to act to protect protesters.

67.

Defendants failed to ascertain or ignored all reasonable and objective facts and their acts and omissions were objectively unreasonable in light of the circumstances confronting them for reasons which, based on information presently known to plaintiffs and members of the class, include the following:

- A. Defendants gave no or inadequate warning of their intention to use force, even though it was reasonably feasible for them to do so;
- B. Defendants gave no directions or instructions to plaintiffs or members of the class as to how or in what direction to safely evacuate the area;
- C. Defendants lacked reasonable cause to believe that plaintiffs or members of the class had committed a crime, posed a threat to the safety of the defendants or others, or were resisting arrest or attempting to evade arrest by flight;
- D. Defendant lacked reasonable cause to believe that plaintiffs or members of the class had displayed aggression or engaged in violent conduct;
- E. Defendants gratuitously inflicted pain on plaintiffs and members of the class in a manner that was not a reasonable response to the circumstances;
- F. Defendants intentionally used and applied force that was capable of causing serious and permanent injury and was grossly disproportionate to any threat presented by plaintiffs and members of the class;
- G. When defendants used and applied force, defendants knew the weapons and munitions they were using were capable of causing serious and permanent injury, were inaccurate and unreliable at the distances from which they were deploying them and could not be deployed without risk of hitting individuals in vulnerable areas nor



endangering persons, such as plaintiffs and members of the class, against whom no such use of force was reasonable nor sanctioned under the Fourth Amendment;

- H. Upon information and belief, defendants failed to follow the federal government's own policy and training regarding preservation of First Amendment rights and use of force in connection with crowd control and riot tactics and ignored well-established legal principles regarding the use of force;
- I. Defendants recklessly or deliberately created their own exigency when none would otherwise have existed;
- J. Defendants used inaccurate information or ignored information to justify using force against plaintiff; and
- K. Defendants failed to de-escalate and in fact escalated their use of force without probable cause or justification.

68.

At all times material, the law was clearly established that defendants' use of force, in the manner and under the circumstances used against plaintiffs and members of the class, was objectively unreasonable and any reasonable federal agent defendant would have known that the force used against plaintiffs and members of the class was unreasonable and violated their clearly established Fourth Amendment rights. Defendants' conduct was well-defined by law and each defendant knew or should have known that their conduct was not only well below the standard prescribed by law, but illegal *per se*.

69.

If defendants claim to have declared an unlawful assembly and given fair warning to disperse, which plaintiff denies, defendants failed to use reasonable means to amplify their

voices so that they could be heard by nonviolent, passively resisting protestors, journalists, legal observers and others. Defendants did not provide instructions how plaintiffs and members of the class should comply with dispersal orders and did not allow plaintiffs and members of the class a reasonable amount of time to comply before defendants commenced use of force.

70.

As a direct and proximate result of defendants' unconstitutional and retaliatory acts, plaintiffs and members of the class suffered physical injury and mental harms, outrage, betrayal, offense, indignity and insult causing damage in amounts to be determined at trial.

71.

Plaintiffs and members of the class are entitled to an award of punitive damages against defendants to punish and deter them and others from similar deprivations of constitutional rights in the future.

**SECOND CLAIM FOR RELIEF: *Unlawful Arrest or Detention***

*Bivens* - Fourth Amendment

72.

Plaintiffs reallege all previous paragraphs as if fully set forth herein.

73.

Plaintiffs and members of the class have the right under the Fourth Amendment of the United States Constitution to be free from unlawful arrest or detention that is not based on a probable cause belief that the particular person is committing a crime or about to commit a crime. Plaintiffs and members of the class are entitled to be free from unwarranted detention absent probable cause.

74.

As a result of defendants' conduct, plaintiff and members of the class were detained by the defendant federal agents in that they were immobilized by tear gas.

75.

At all times material, the law was clearly established that defendants' seizure of plaintiffs and class members in the manner and under the circumstances was unreasonable and any objectively reasonable federal agent defendant would have known that the seizure of plaintiffs and class members violated their clearly established Fourth Amendment right. Defendants' conduct was well-defined by law and each defendant knew or should have known that their conduct was not only well below the standard prescribed by law, but illegal *per se*.

76.

As a direct and proximate result of defendants' unconstitutional and retaliatory acts, plaintiffs and class members suffered physical injury and mental harms, outrage, betrayal, offense, indignity and insult causing damage in amounts to be determined at trial.

77.

Plaintiffs and members of the class are entitled to an award of punitive damages against defendants to punish and deter them and others from similar deprivations of constitutional rights in the future.

### **THIRD CLAIM FOR RELIEF--DECLARATORY JUDGMENT**

78.

Based on information and belief, defendants remain in Oregon and, based on statements of President Trump and others, may again use similar force in Portland against protesters like plaintiffs and members of the class. Plaintiffs and members of the class intend to continue

exercising their free speech rights and rights of association in support of the Black Lives Matter movement.

79.

There exists a controversy of sufficient immediacy to warrant issuing a declaratory judgment that indiscriminate use of tear gas on peaceful protesters engaged in protected acts of assembly, speech, and expression violates the First Amendment rights of peaceful protesters.

80.

A judicial declaration is necessary and appropriate so that plaintiffs and members of the class may be assured that their rights to engage in constitutionally protected speech, assembly, and expressive conduct remain intact and that they do not risk physical harm, excessive force, or unlawful seizure by engaging in such protected activities.

81.

Plaintiffs and members of the class are entitled to a declaratory judgment that defendants may not indiscriminately use tear gas, shoot, or beat them while they are engaged in constitutionally protected assembly, speech, and expressive conduct.

WHEREFORE plaintiff prays for judgment against defendants, and each of them, as follows:

1. For compensatory noneconomic and economic damages in an amount to be determined by a jury and for prejudgment interest on said sums;
2. For punitive damages;
3. For a declaratory relief;
4. For plaintiff's costs and such other and further relief as the Court may deem just and equitable; and

5. Plaintiff demands a jury trial for all matters triable of right to a jury.

DATED this August 24, 2020.

Respectfully submitted,

/s/ David F. Sugerman

David F. Sugerman, OSB # 862984

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*Lead Counsel*

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 8/28/2020 3:25:28 PM

**To:** (b)(6), (b)(7)(C)

**CC:** (b)(6), (b)(7)(C)

**Subject:** FW: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Stayed by Ninth Circuit

**Attachments:** Index Newspapers Portland Civil Unrest Preliminary Injunction 8-20-20.pdf; PI Guidance - Index Newspapers.pdf; Index Newspapers - Govt Motion for Stay Pending Appeal 082520.pdf; Index Newspapers Portland Civil Unrest Preliminary Injunction Ninth Circuit Stay 8-27-20.pdf

Good news.

(b)(6), (b)(7)(C)  
 CHIEF PATROL AGENT  
 U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP  
 OFFICE: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Sent:** Friday, August 28, 2020 8:15 AM

**To:** (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**Cc:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C) (OCC)  
 (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
 (OCC) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Stayed by Ninth Circuit

Gentlemen,

I'm extremely happy to report that last night the Ninth Circuit issued the attached order granting our motion for an administrative stay pending our request for emergency review of the Index Newspapers preliminary injunction. Of particular note, the Ninth Circuit panel, in this 2-1 decision, opined as follows:

Based on our preliminary review, [the U.S. Government] appellants have made a strong showing of likely success on the merits that the district court's injunction exempting "Journalists" and "Legal Observers" from generally applicable dispersal orders is without adequate legal basis. Given the order's breadth and lack of clarity, particularly in its non-exclusive indicia of who qualifies as "Journalists" and "Legal Observers," appellants have also demonstrated that, in the absence of a stay, the order will cause irreparable harm to law enforcement efforts and personnel. **The August 20, 2020 order is stayed, temporarily, pending resolution of the emergency motion.** This administrative stay **preserves the status quo as it existed before the district court's preliminary injunction and temporary restraining order.**

This order does not disturb the portion of the district court's August 20, 2020 order directing the parties to confer regarding identifying markings and directing that the parties submit proposals to the district court within 14 days if the parties cannot reach an agreement. However, the district court shall not issue a final order regarding identifying markings pending this court's resolution of the emergency motion.

Please let us know if you have questions or would like to discuss.

**(b)(6), (b)(7)(C)**

Deputy Assistant Chief Counsel  
Advanced Training Center  
U.S. Customs and Border Protection  
440 Koonce Rd  
Harpers Ferry, WV 25425

**(b)(6), (b)(7)(C)** (Office)  
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**(b)(6), (b)(7)(C)**

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(b)(7)(E)

Sent: 8/5/2020 10:44:16 AM

To: AMOC WATCH (b)(7)(E)  
(b)(6), (b)(7)(C), (b)(7)(E)

**(b)(6), (b)(7)(C)** BOYER, STEPHEN A  
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(b)(6), (b)(7)(C) COLLINS, JAMES L.

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(b)(6), (b)(7)(C) (CTR)

(b)(6), (b)(7)(C) FERRARA, WILLIAM

**(b)(6), (b)(7)(C)** FORET, VERNON T  
FPS IMC

**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) JACKSTA, LINDA L

**(b)(6), (b)(7)(C)**

(OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (CTR)



**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

MICHELINI, DENNIS J

**(b)(6), (b)(7)(C)**

(CTR)

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

MORGAN, MARK A

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

'NOC.NDD'

**(b)(6), (b)(7)(C), (b)(7)(E)**

**(b)(6), (b)(7)(C)**

ORTIZ, RAUL L

; Owen, Todd C (EAC

(OFO)

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

PEREZ, ROBERT E

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

PORVAZNIK, ANTHONY J

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

SABATINO, DIANE J

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

SCOTT, RODNEY S

SCUDDER, KATHLEEN

**(b)(6), (b)(7)(C)**

SABATINO, DIANE J

SEGUIN, DEBBIE W

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

USBP-NTC Managers

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

WATCH CBP INTEL

(b)(7)(E)

YOUNG, EDWARD E

(b)(6), (b)(7)(C)

CC: SITROOM (b)(7)(E)

Subject: CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 04 Aug 2020  
1000 hours

Attachments: 04Aug2020 4th of July Support .docx

Good Morning:

Please see the attached CBP Law Enforcement Support report for August 05, 2020. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 33rd night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 50 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

*CBP LEOs will report to Portland tonight for the 34rd night of law enforcement support.*

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST

- [REDACTED] SOG IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents in a QRF posture at the [REDACTED] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP has diverted AMO [REDACTED] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 32nd night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 70 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

*CBP LEOs will report to Portland tonight for the 33rd night of law enforcement support.*

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
**Federal, State, And Local Requests For Assistance**

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

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 Updated: July 30, 2020, 1000hrs

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**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** [REDACTED] **agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** [REDACTED] **agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** [REDACTED] **PAX**): USBP SOG is providing [REDACTED] agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** [REDACTED] **PAX**): OFO SRT is providing [REDACTED] SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** [REDACTED] **PAX**): OFO SRT is providing [REDACTED] SRT Officers from the Blaine POE, USBP is providing [REDACTED] agents from the Blaine Sector (BLW) and [REDACTED] agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** [REDACTED] **PAX**): USBP SOG will maintain [REDACTED] agents on standby in El Paso, TX, able to deploy to any location within the United States within [REDACTED] hours of notification via AMO [REDACTED] flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** [REDACTED]: LESC has identified [REDACTED] agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide [REDACTED] officers to assist DOI if requested. Blaine Sector has an additional [REDACTED] agents identified to support FPS in Seattle if requested.
- AMO has staged [REDACTED] aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with [REDACTED]
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional [REDACTED] CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) Courthouse. SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with (b)(7)(E) and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E).
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. USCG
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

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**U.S. Customs and Border Protection  
4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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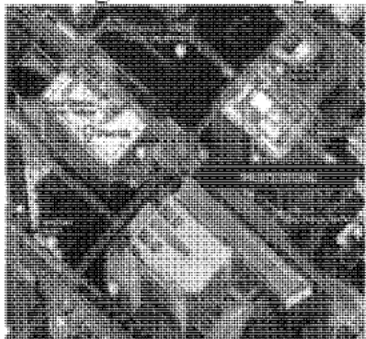
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

Office: CBP SITROOM- Senior Watch Officer  
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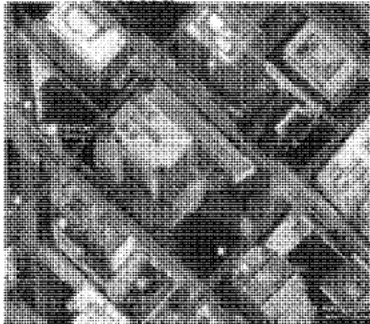
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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
 (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
 (b)(7)(E)
  - OFO SRT received (b)(7)(E)  
 (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E), estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.



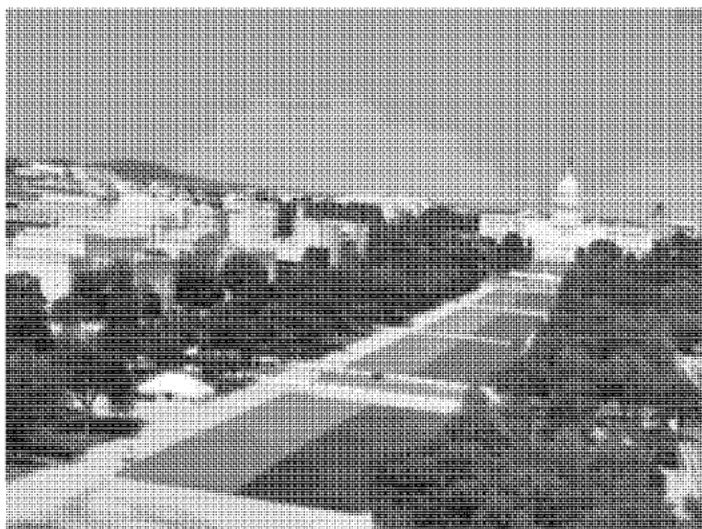
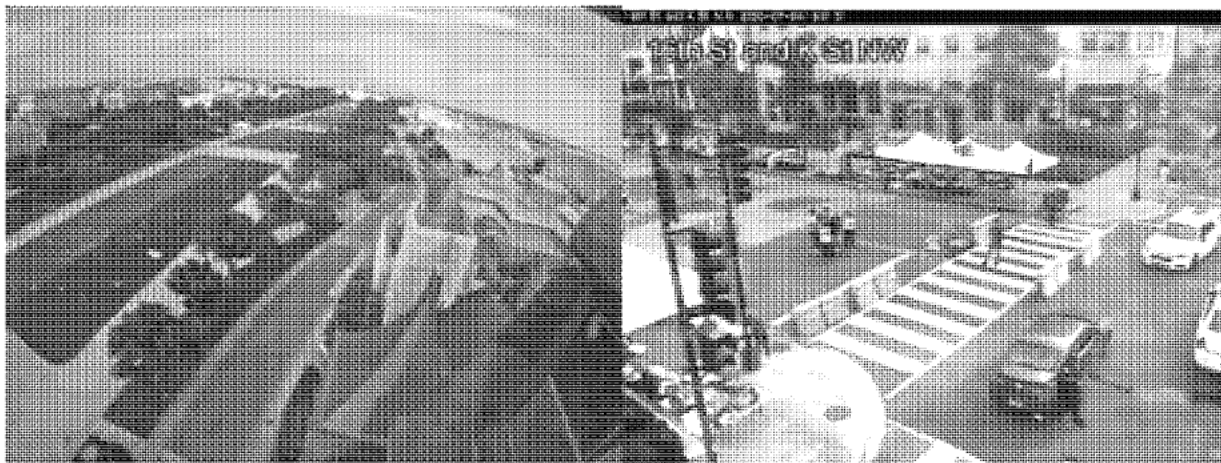
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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately [REDACTED] Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all [REDACTED] SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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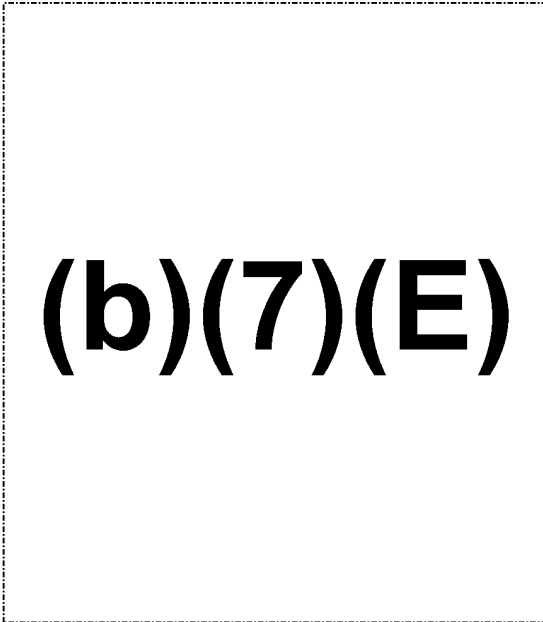
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [redacted] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [redacted] forward deployed SOG personnel reported to the [redacted] (b)(7)(E) located at [redacted] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [redacted] (b)(7)(E) along with [redacted] (b)(7)(E) Federal Protective Service (FPS) Officers, [redacted] (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and [redacted] (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[redacted] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [redacted] (b)(7)(E) and [redacted] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E). (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E). (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209


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(Approximately 4 miles away from the Hatfield Courthouse).  Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

#### **PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV. (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

#### **CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)  
(b)(7)(E)  
(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

#### **PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

#### **CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lowndale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
**(b)(7)(E)**
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunck Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) back towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) agents to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG Intel
- USBP HQ
- CBP OPA
- OFO SRT
- AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** ~~(b)(7)(E)~~ **CBP Personnel**

- ~~(b)(7)(E)~~ SDC/SOD ~~(b)(7)(E)~~ BORTAC ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- ~~(b)(7)(E)~~ YUM/SOD ~~(b)(7)(E)~~ BORTAC ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- ~~(b)(7)(E)~~ SOG (Command and Control)
- ~~(b)(7)(E)~~ SOG Intel
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset ~~(b)(7)(E)~~  
~~(b)(7)(E)~~

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
 (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) agents were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

**CBP MANPOWER 7/25/20:** ~~(b)(7)(E)~~ **CBP Personnel**

- ~~(b)(7)(E)~~ USBP/BLW
- ~~(b)(7)(E)~~ OFO SRT
  - ~~(b)(7)(E)~~ Laredo SRT
  - ~~(b)(7)(E)~~ Los Angeles SRT
  - ~~(b)(7)(E)~~ San Francisco SRT
  - ~~(b)(7)(E)~~ Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD ~~(b)(7)(E)~~ PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- Special Operations Group ~~(b)(7)(E)~~ PAX): Command and Control for CBP operations
- USBP HQ ~~(b)(7)(E)~~ PAX): Liaison coordination
- OFO/SRT ~~(b)(7)(E)~~ PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD ~~(b)(7)(E)~~ PAX): ~~(b)(7)(E)~~ CBP YUM/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the ~~(b)(7)(E)~~ and ~~(b)(7)(E)~~. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset (b)(7)(E)  
(b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions / (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / [REDACTED] (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group [REDACTED] PAX: Command and Control for CBP operations
- USBP HQ [REDACTED] PAX: Liaison coordination
- OFO/SRT [REDACTED] PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] PAX: [REDACTED] CBP YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- BLW SOD
- SOG Support Personnel
- USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG Support Personnel
- BLW SOD
- SOG Intel
- USBP HQ
- CBP OPA
- (b)(7)(E) OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) agents to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: [REDACTED] (b)(7)(E) [REDACTED] throughout the night from 2200-0300 tonight [REDACTED] (b)(7)(E) [REDACTED]

**CBP MANPOWER 7/29/20:** [REDACTED] (b)(7)(E) [REDACTED] **CBP Personnel**

- [REDACTED] (b)(7)(E) [REDACTED] USBP
- [REDACTED] (b)(7)(E) [REDACTED] OFO SRT
- [REDACTED] (b)(7)(E) [REDACTED] CBP
- [REDACTED] (b)(7)(E) [REDACTED] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/[REDACTED] (b)(7)(E) [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/[REDACTED] (b)(7)(E) [REDACTED] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

**Final Update:**

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

**Newly arrived personnel in Portland AOR:**

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E). Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and (b)(7)(E) during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct (b)(7)(E) flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:** (b)(7)(E)

**Individual Roles/Participants:**

1.  CDO
2.  (b)(7)(E)
3.  (b)(7)(E)
4.  AMCIT
5.  (b)(7)(E) flight crews:
6.  (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:**  (b)(7)(E) helicopters for airborne (b)(7)(E) and aviation liaison (CDO).

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST.

(b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) Agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST: (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching (b)(7)(E)

(b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] SOG HQ (Support)

AMO has [REDACTED] schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

**CBP MANPOWER 08/02/20:** [REDACTED] (b)(7)(E) **CBP Personnel**

- [REDACTED] SOG HQ
- [REDACTED] (b)(7)(E) SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] (b)(7)(E) YUM SOD
- [REDACTED] YUM HQ
- [REDACTED] YUM IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] (b)(7)(E) OFO SRT
- [REDACTED] (b)(7)(E) OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] (b)(7)(E) TUC MRT
- [REDACTED] (b)(7)(E) SDC MRT
- [REDACTED] (b)(7)(E) EPT SOD
- [REDACTED] (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture at three locations. [REDACTED] (b)(7)(E) agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) agents at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] (b)(7)(E) CBP personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated [REDACTED] (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA

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- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations, [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) [REDACTED] with an [REDACTED] (b)(7)(E) [REDACTED] response time), and [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] (b)(7)(E) [REDACTED] response).

08/03/2020 at 1900 hours PST: OSP has designated [REDACTED] (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 [REDACTED] (b)(7)(E) [REDACTED] officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed chemical munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: July 30, 2020, 1000hrs

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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs

Message

**From:** SITROOM (b)(7)(E)  
(b)(7)(E)

**Sent:** 8/8/2020 11:31:16 AM

**To:** (b)(7)(E)

**CC:** MORGAN, MARK A (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) PEREZ, ROBERT E

(b)(6), (b)(7)(C) FERRARA, WILLIAM

(b)(6), (b)(7)(C) JACKSTA, LINDA L

(b)(6), (b)(7)(C) SCOTT, RODNEY S

(b)(6), (b)(7)(C) ORTIZ, RAUL L

(b)(6), (b)(7)(C) PORVAZNIK,

ANTHONY J (b)(6), (b)(7)(C) Owen, Todd C (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) FORET, VERNON T

(b)(6), (b)(7)(C) YOUNG, EDWARD E

(b)(6), (b)(7)(C) BOYER, STEPHEN A

(b)(6), (b)(7)(C) MICHELINI, DENNIS J

(b)(6), (b)(7)(C) COLLINS, JAMES L.

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C) SEGUIN, DEBBIE W

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) CBP SITROOM- SWOS

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C) WATCH CBP INTEL

(b)(7)(E) SCUDDER, KATHLEEN

(b)(6), (b)(7)(C) LANDRUM, RYAN P

(b)(6), (b)(7)(C)

FPS IMC

(b)(6), (b)(7)(C), (b)(7)(E)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(OCC)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

'NOC.NDD'

(b)(6), (b)(7)(C), (b)(7)(E)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

CBP HQ EOC EOC

Director

(b)(7)(E)

(b)(7)(E)

AMOC WATCH

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)

LEOD-OPS-CELL

(b)(7)(E)

Ops ACC Distro

(b)(7)(E)

DANLEY, ROBERT

(b)(6), (b)(7)(C)

BEMILLER, DAVID S

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)	HEITKE, AARON M
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	OPS SPECIAL
(b)(7)(E)	SOG EOC
(b)(6), (b)(7)(C), (b)(7)(E)	
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	SITROOM
(b)(7)(E)	

**Subject:** CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 03 Aug 2020 1000 hours

**Attachments:** 08Aug2020 4th of July Support .docx

Good morning,

Please see the attached 1000 hours report for CBP Law Enforcement Support to Portland, Oregon. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon, for the 36<sup>th</sup> night of law enforcement support. AMO provided (b)(7)(E) scheduled flight. There were approximately 40 – 50 demonstrators in front of the Hatfield Courthouse. Oregon State Police reported two mortar fireworks were thrown inside the fencing at the Hatfield Courthouse. There was no reported property damage to federal buildings, nor were any CBP personnel assaulted.

No employee injuries reported. No less lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 37<sup>th</sup> night of law enforcement support.*

**CBP Portland Team Sit Rep 08/07/2020 to 08/08/2020:**

At 1700 PDT (2000 EDT), August 7, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has [redacted] scheduled flight at 2200 hours PDT (0100 hours EDT). [redacted] (b)(7)(E)

**CBP MANPOWER 08/07/20: [redacted] CBP Personnel**

- [redacted] SOG HQ
- [redacted] SOG BTC
- [redacted] SOG BST
- [redacted] SOG IU
- [redacted] DRT SOD
- [redacted] DRT IU
- [redacted] SDC SOD
- [redacted] OFO SRT
- [redacted] OPR
- [redacted] AMO
- [redacted] TCA MRT
- [redacted] EPT SOD
- [redacted] EPT IU
- [redacted] CBP OIT

08/07/2020 at 1900 hours PDT (2200 hours EDT): Oregon State Police (OSP) has designated [redacted] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [redacted] CBP Personnel at the [redacted] (b)(7)(E) approximately [redacted] (b)(7)(E) with a [redacted] (b)(7)(E) response. [redacted] Agents will remain in a QRF posture at [redacted] (b)(7)(E) [redacted] (b)(7)(E) capable of deploying at [redacted] (b)(7)(E) [redacted] (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/07/2020 at 1905 hours PDT (2205 hours EDT): Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse.

08/07/2020 at 2210 hours PDT (0110 hours EDT): AMO launches [redacted] (b)(7)(E) helicopter to assist with [redacted] (b)(7)(E) operations.

08/07/2020 at 2252 hours PDT (0152 hours EDT): OSP reports two mortar fireworks thrown inside the fence surrounding the Hatfield Courthouse. Observation Post reports fireworks launched from 3<sup>rd</sup> St./ Salmon St. area. No injuries reported at this time.

08/07/2020 at 2254 hours PDT (0154 hours EDT): OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/08/2020 at 0210 hours PDT (0510 hours EDT):

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.



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No employee injuries reported. No less lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 37<sup>th</sup> night of law enforcement support.*

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs (b)(7)(E) (b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

**U.S. Customs and Border Protection**  
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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT	Boston			
USBPHQ	San Juan			
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: August 06, 2020, 1000hrs

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (PAX): OFO SRT is providing SRT Officers from the Blaine POE, USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team**: LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

Office: CBP SITROOM- Senior Watch Officer

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all [REDACTED] CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the [REDACTED] (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the [REDACTED] (b)(7)(E) and the second team will be in the [REDACTED] (b)(7)(E). [REDACTED] (b)(7)(E) SUAS will provide [REDACTED] (b)(7)(E) from the [REDACTED] (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) with surveillance capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED].
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. USCG
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM- Senior Watch Officer

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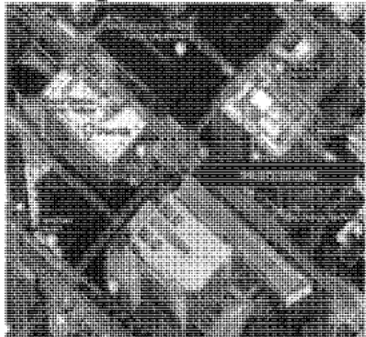
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

Office: CBP SITROOM- Senior Watch Officer

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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468            122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

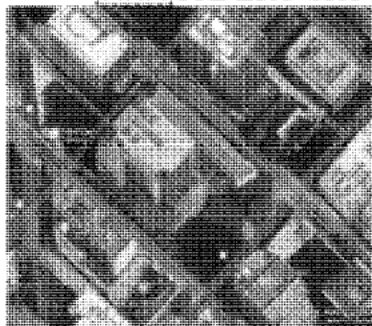
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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)
- (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)
  - (b)(7)(E)
  - OFO SRT received (b)(7)(E)
  - (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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Updated: August 06, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - (b)(7)(E) FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E), estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

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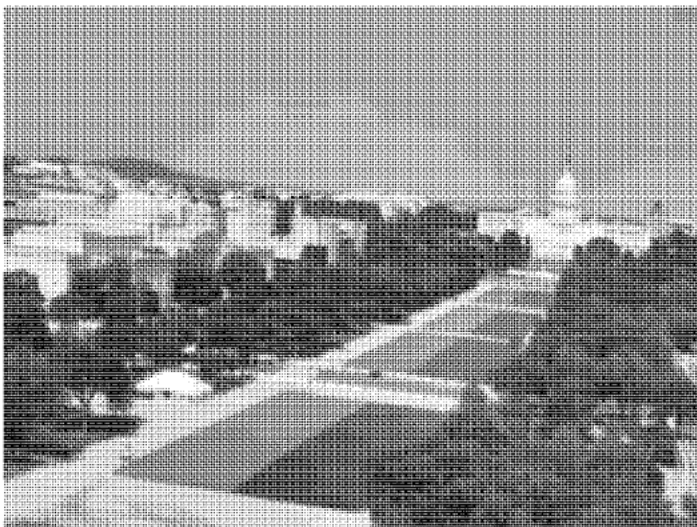


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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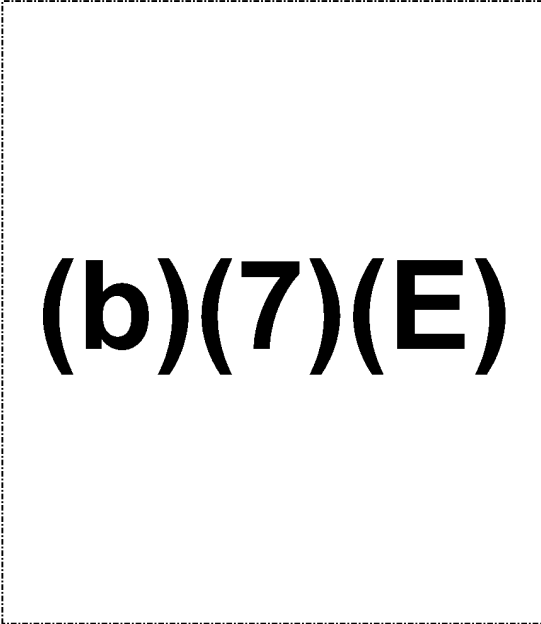
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)
- 1145 hours PDT: (b)(7)(E) SOG personnel have linked up with SOG Portland team (b)(7)(E) for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - (b)(7)(E) total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E).
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

**(b)(7)(E)**

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). [REDACTED] Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

#### **PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

#### **CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E) (b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
**(b)(7)(E)**
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal chemical munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO: (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- SOG (Command and Control)
- SOG Intel
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

(b)(7)(E)

(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
 (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG Intel
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

**CBP MANPOWER 7/25/20:** ~~(b)(7)(E)~~ **CBP Personnel**

- ~~(b)(7)(E)~~ USBP/BLW
- ~~(b)(7)(E)~~ OFO SRT
  - ~~(b)(7)(E)~~ Laredo SRT
  - ~~(b)(7)(E)~~ Los Angeles SRT
  - ~~(b)(7)(E)~~ San Francisco SRT
  - ~~(b)(7)(E)~~ Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD ~~(b)(7)(E)~~ PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- Special Operations Group ~~(b)(7)(E)~~ PAX): Command and Control for CBP operations
- USBP HQ ~~(b)(7)(E)~~ PAX): Liaison coordination
- OFO/SRT ~~(b)(7)(E)~~ PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD ~~(b)(7)(E)~~ PAX): ~~(b)(7)(E)~~ CBP YUM/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the ~~(b)(7)(E)~~ and ~~(b)(7)(E)~~. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have [REDACTED] (b)(7)(E) [REDACTED] throughout the night from 2200-0300 tonight [REDACTED] (b)(7)(E) [REDACTED]

**CBP MANPOWER 7/25/20: [REDACTED] (b)(7)(E) [REDACTED] CBP Personnel**

- [REDACTED] (b)(7)(E) [REDACTED] SDC/SOD [REDACTED] (b)(7)(E) [REDACTED] BORTAC [REDACTED] (b)(7)(E) [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) [REDACTED] Agents, [REDACTED] (b)(7)(E) [REDACTED] BPA UoF)
- [REDACTED] (b)(7)(E) [REDACTED] YUM/SOD [REDACTED] (b)(7)(E) [REDACTED] BORTAC, [REDACTED] (b)(7)(E) [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) [REDACTED] Agents)
- [REDACTED] (b)(7)(E) [REDACTED] SOG (Command and Control)
- [REDACTED] (b)(7)(E) [REDACTED] SOG Intel
- [REDACTED] (b)(7)(E) [REDACTED] USBP HQ
- [REDACTED] (b)(7)(E) [REDACTED] CBP OPA
- [REDACTED] (b)(7)(E) [REDACTED] OFO SRT
- [REDACTED] (b)(7)(E) [REDACTED] CBP OPR
- [REDACTED] (b)(7)(E) [REDACTED] CBP OTD
- [REDACTED] (b)(7)(E) [REDACTED] AMO [REDACTED] (b)(7)(E) [REDACTED] Ground [REDACTED] (b)(7)(E) [REDACTED] Air Crew [REDACTED] (b)(7)(E) [REDACTED]

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E) [REDACTED] [REDACTED] (b)(7)(E) [REDACTED]

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) [REDACTED] were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) [REDACTED] techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E) (b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about 3/4 miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG Support Personnel
- BLW SOD

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- ~~(b)(7)(E)~~ SOG Intel
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ CBP OTD
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Permanent / ~~(b)(7)(E)~~

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD ~~(b)(7)(E)~~ PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents)
- Special Operations Group ~~(b)(7)(E)~~ PAX: Command and Control for CBP operations
- USBP HQ ~~(b)(7)(E)~~ PAX: Liaison coordination
- OFO/SRT ~~(b)(7)(E)~~ PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD ~~(b)(7)(E)~~ PAX: ~~(b)(7)(E)~~ CBP YUM/SOD ~~(b)(7)(E)~~ BORTAC, ~~(b)(7)(E)~~ BORSTAR, ~~(b)(7)(E)~~ Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the ~~(b)(7)(E)~~ and ~~(b)(7)(E)~~. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have: ~~(b)(7)(E)~~ throughout the night from 2200-0300 tonight. ~~(b)(7)(E)~~

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing: (b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the **(b)(7)(E)** and **(b)(7)(E)**. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- **(b)(7)(E)** OFO SRT
- **(b)(7)(E)** YUM Admin
- **(b)(7)(E)** SOG BTC
- **(b)(7)(E)** SOG BST
- **(b)(7)(E)** EPT BTC
- **(b)(7)(E)** EPT CIT
- **(b)(7)(E)** ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions/ (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG Intel
- (b)(7)(E) USBP HQ

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- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ CBP OPA
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ OFO SRT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ CBP OPR
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ EPT CIT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ ELC CIT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ AMO
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ TCA MRT
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ SOG Command
- ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST: The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [REDACTED] (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [REDACTED] (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

**Arrest:**

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**Newly arrived personnel:**

- [REDACTED] SOG BTC
- [REDACTED] EPT SOD
- [REDACTED] DRT SOD
- [REDACTED] SDC MRT
- [REDACTED] AMO

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/29/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lowndale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately (b)(7)(E)  
(b)(7)(E)

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- OTD
- OPA
- OPR
- OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Operations (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with  SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and  (b)(7)(E)  (b)(7)(E) during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct  (b)(7)(E) flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:**  (b)(7)(E)

**Individual Roles/Participants:**

1.  X CDO
2.  X  (b)(7)(E)
3.  X  (b)(7)(E)
4.  X AMCIT
5.  X  (b)(7)(E) flight crews:
6.  X  (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:**  X  (b)(7)(E) helicopters for airborne  (b)(7)(E) and aviation liaison (CDO).

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] OPA
- [REDACTED] AMO
- [REDACTED] OPR

AMO has [REDACTED] (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/01/20: [REDACTED] (b)(7)(E) CBP Personnel**

- [REDACTED] SOG HQ
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] YUM SOD
- [REDACTED] YUM HQ
- [REDACTED] YUM IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] ECT
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) Agents at the (b)(7)(E) (approximately (b)(7)(E) (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST: (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching (b)(7)(E)

**(b)(7)(E)**

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- SOG HQ (Support)

AMO has schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. (b)(7)(E)  
(b)(7)(E)

#### CBP MANPOWER 08/02/20: CBP Personnel

- SOG HQ
- SOG BTC
- SOG BST
- SOG IU
- YUM SOD
- YUM HQ
- YUM IU
- DRT SOD
- DRT IU
- SDC SOD
- OFO SRT
- OPR
- OPA
- OI
- AMO
- TUC MRT
- SDC MRT
- EPT SOD
- EPT IU

CBP Personnel are staged in a QRF posture at three locations. agents at the (b)(7)(E)  
(b)(7)(E) agents at the (b)(7)(E) (approximately  
(b)(7)(E) with an (b)(7)(E) response time), and CBP personnel at the (b)(7)(E) (approximately  
(b)(7)(E) with a (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA

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- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations, [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) [REDACTED] with an [REDACTED] (b)(7)(E) [REDACTED] response time), and [REDACTED] (b)(7)(E) [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) [REDACTED] with a [REDACTED] (b)(7)(E) [REDACTED] response).

08/03/2020 at 1900 hours PST: OSP has designated [REDACTED] (b)(7)(E) [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 [REDACTED] (b)(7)(E) [REDACTED] officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed [REDACTED] (b)(7)(E) [REDACTED] munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 06, 2020, 1000hrs



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08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/04/2020 to 08/05/2020:**

At 1700 PST, August 4, 2020, USBP SOG, SOD, AMO, MRT, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2200 hours PST. (b)(7)(E)

**CBP MANPOWER 08/04/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) EPT SOD

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- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture. [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response), and [REDACTED] agents in a QRF posture at the [REDACTED] (b)(7)(E)

08/04/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/04/2020 at 2019 hours PST: OPS reports a low number of protestors. No illicit activity at this moment.

08/04/20 at 2120 hours PST: OSP reports 50 protestors at the front of Hatfield Court House.

08/04/20 at 2255 hours PST: OSP [REDACTED] (b)(7)(E) to monitor protestors that are walking at the intersection of Lambert/North Campbell.

08/04/20 at 2335 hours PST: Observation post reports under 10 protestors near the area of Hatfield Courthouse, and Edith Green Building.

08/04/20 at 2335 hours PST: Observation post reports no change to the number of protestors.

08/05/2020 at 0204 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**CBP Portland Team Sit Rep 08/05/2020 to 08/06/2020:**

At 1700 PST, August 5, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, AMO, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at several locations nearby. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

1. [REDACTED] BLW Peer Support
2. [REDACTED] CBP OIT

AMO has [REDACTED] scheduled flight for 2200 hours PST. [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/05/20:** [REDACTED] **CBP Personnel**

1. [REDACTED] SOG HQ
2. [REDACTED] SOG BTC
3. [REDACTED] SOG BST
4. [REDACTED] SOG IU
5. [REDACTED] DRT SOD
6. [REDACTED] DRT IU
7. [REDACTED] SDC SOD
8. [REDACTED] OFO SRT
9. [REDACTED] OPR
10. [REDACTED] OPA
11. [REDACTED] AMO
12. [REDACTED] TCA MRT
13. [REDACTED] EPT SOD
14. [REDACTED] EPT IU
15. [REDACTED] BLW
16. [REDACTED] CBP OIT

08/05/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. [REDACTED] Agents are able to respond from the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response. [REDACTED] Agents at the [REDACTED] (b)(7)(E) approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response.

08/05/2020 at 2052 hours PST: OSP reports three vehicles blocking the intersection of 3<sup>rd</sup> St. /Madison Street. No reported crowd size.

08/05/2020 at 2134 hours PST: Observation Post reports crowd size of approximately 30-40 protesters in front of the Justice Center.

08/05/2020 at 2147 hours PST: AMO launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

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08/05/2020 at 2237 hours PST: Observation Post reports no change in crowd size. No illicit activity to report.

08/05/2020 at 2323 hours PST: OSP reports all protesters clear of area in front of Hatfield Courthouse and Justice Center.

08/05/2020 at 2400 hours PST: AMO concludes aircraft flight.

08/05/2020 at 0143 hours PST:

1. FPS gave the stand down order
2. No additional significant incidents/injuries to report at the Federal facilities.
3. No arrests.
4. No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 08/06/2020 to 08/07/2020:**

At 1700 PDT (2000 EDT), August 6, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E) (b)(7)(E). The courthouse will be sealed, and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations, providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

AMO has (b)(7)(E) scheduled flight at 2130 hours PDT (0130 hours EDT), (b)(7)(E)

**CBP MANPOWER 08/06/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT

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- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) BLW
- (b)(7)(E) CBP OIT

08/06/2020 at 1900 hours PDT (2200 EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

08/06/2020 at 2052 hours PDT (2352 EDT): Observation Post reports 30 protesters at the Lownsdale Park area. OSP also reports three vehicles blocking traffic on 3<sup>rd</sup> Street in front of the Justice Center.

08/07/2020 at 0110 hours PDT (0410 hours EDT):

- FPS gave the stand-down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to the path forward. CBP will be on standby at a location to be determined in a QRF posture.

**CBP Portland Team Sit Rep 08/07/2020 to 08/08/2020:**

At 1700 PDT (2000 EDT), August 7, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- NTR

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AMO has (b)(7)(E) scheduled flight at 2200 hours PDT (0100 hours EDT). (b)(7)(E)

**CBP MANPOWER 08/07/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) CBP OIT

08/07/2020 at 1900 hours PDT (2200 hours EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at (b)(7)(E) (b)(7)(E) capable of deploying at (b)(7)(E) (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/07/2020 at 1905 hours PDT (2205 hours EDT): Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse.

08/07/2020 at 2210 hours PDT (0110 hours EDT): AMO launches (b)(7)(E) helicopter to assist with over watch operations.

08/07/2020 at 2252 hours PDT (0152 hours EDT): OSP reports two mortar fireworks thrown inside the fence surrounding the Hatfield Courthouse. Observation Post reports fireworks launched from 3<sup>rd</sup> St./ Salmon St. area. No injuries reported at this time.

08/07/2020 at 2254 hours PDT (0154 hours EDT): OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

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08/08/2020 at 0210 hours PDT (0510 hours EDT):

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 06, 2020, 1000hrs

Message

**From:** COUREY, MARC BENNETT (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**Sent:** 7/31/2020 11:09:19 AM

**To:** MORGAN, MARK A; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) PEREZ, ROBERT E

**CC:** SEGUIN, DEBBIE W; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) RODNEY S  
 (b)(6), (b)(7)(C) ORTIZ, RAUL L  
 ANTHONY J; (b)(6), (b)(7)(C) PORVAZNIK,  
 (b)(6), (b)(7)(C) Owen, Todd C (EAC  
 OFO); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) FORET, VERNON T  
 (b)(6), (b)(7)(C) FALK, SCOTT K (OCC)  
 (OCC); (b)(6), (b)(7)(C) WILLIAMS, MARTA  
 (b)(6), (b)(7)(C) STUNTZ, SHELBY  
 (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC)  
 (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) FERRARA, WILLIAM  
 (b)(6), (b)(7)(C) JACKSTA, LINDA L  
 (b)(6), (b)(7)(C) DAVIES, MATTHEW S  
 (b)(6), (b)(7)(C) HOFFMAN, TODD A  
 (b)(6), (b)(7)(C) DANLEY, ROBERT

**Subject:** Portland Civil Unrest -- Sixth Federal District Court Complaint

**Attachments:** Portland Civil Unrest - Paul v. Trump Complaint.pdf

Commissioner and Deputy Commissioner (b)(5)

(b)(5)



**(b)(5)**

**(b)(5)**

Please let us know if you have any questions or would like

to discuss. Thanks.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

**(b)(6), (b)(7)(C)** / **(b)(6), (b)(7)(C)**

\*\* Attorney Work Product / Attorney-Client Privileged \*\*

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People's Law Project  
peopleslawproject@gmail.com  
Direct 971-258-1292

Pro Bono Attorneys for Mr. Paul

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**JEFF PAUL**

Case No. 3:20-cv-1188

Plaintiff

**COMPLAINT FOR  
CONSPIRACY TO  
VIOLATE THE U.S.  
CONSTITUTION**

vs

**DONALD TRUMP  
CHAD WOLF  
JOHN DOES 1-100**

Demand for Jury Trial

Defendants

1.

**INTRODUCTION**

“President Trump, in pushing a law-and-order message for his re-election campaign, has embraced a dark vision of Portland as a lawless place filled with people who ‘hate our country.’ His administration’s crackdown has brought armed officers from a wide variety of federal agencies to the streets, where they have been firing tear gas and pulling protesters into unmarked vans.”

– *The New York Times*, July 21, 2020

2.

On Saturday, July 18, 2020, Mr. Paul stood alongside retired military veterans, moms, nurses, Black Lives Matter advocates, legal observers, and other peaceful civil rights activists protesting police brutality outside the Justice Center in downtown Portland. Without warning, federal agents, acting under the orders of President Trump and Secretary Wolf, stormed the streets of Portland and began mercilessly attacking peaceful protesters with military weapons.

3.

Using a baton, federal agents viciously beat and mutilated Mr. Paul about the body and face, without provocation, sending Mr. Paul to the emergency room, where he stayed overnight receiving treatment.

4.

#### **JURISDICTION AND THE PARTIES**

This Court has jurisdiction under 28 U.S.C. § 1331 because this complaint presents federal questions and alleges violations of the U.S. Constitution. Venue is proper in this district under 28 U.S.C. § 1391 because Mr. Paul was beaten and mutilated in downtown Portland.

5.

Plaintiff Mr. Paul is an American citizen and a peaceful civil rights activist. Mr. Paul is a special education paraprofessional employed by Seattle Public Schools, working to create learning environments more inclusive to people of all backgrounds and abilities. He is also a Recreation Leader with Seattle Parks and Recreation, working to develop programs that promote equity and opportunity. Since George Floyd's murder in Minneapolis, Mr. Paul has been actively involved in civil rights protests, mostly in Seattle where he lives. Mr. Paul believes it is fundamentally important for citizens to protest the treatment of Black lives – racist treatment that has been systemic and generational. Mr. Paul decided to come to Portland to protest with the thousands of other peaceful people who have flooded the streets. Mr. Paul traveled to Portland to have his voice heard, and to engage in peaceful protest with the rest of the people in Portland, as the First Amendment to the U.S. Constitution allows.

6.

Defendant Donald Trump is the President of the United States.

7.

Defendant Chad Wolf is the acting Homeland Security Secretary of the United States. Wolf's predecessor, Kevin McAleenan, departed the office in part over concerns that the messaging and tone of the department had become too political.

8.

John Does 1-100 are unidentified federal agents, senior White House officials, and other co-conspirators who aided and abetted President Trump and Chad Wolf in the politically-motivated violations of the U.S. Constitution as alleged in this complaint, or who participated in the unprovoked attack on Mr. Paul.

9.

## **FACTUAL ALLEGATIONS**

This complaint's allegations are based on personal knowledge as to Mr. Paul's behavior and made on information and belief as to the behavior of others.

10.

In May of 2020, hundreds of thousands of American civil rights activists began protesting the murder of George Floyd, a Black man killed by police officers in Minneapolis, Minnesota.

11.

President Trump has repeatedly advocated the use of force against Black demonstrators and civil rights activists protesting the murder of George Floyd.

12.

President Trump posted on social media about the protests, stating that “when the looting starts, the shooting starts,” which is a racist slogan used by former Miami police chief Walter Headley in 1967 to advocate for police brutality and discriminatory practices targeting African Americans. President Trump later tweeted, “These people are ANARCHISTS. Call in our National Guard NOW” and “This isn’t going to stop until the good guys are willing to use overwhelming force against the bad guys”.

13.

President Trump personally called on governors to “dominate your city and your state” and warned that he was prepared to “do something people haven’t seen before” when referring to the protests. During remarks in the White House Rose Garden, President Trump said that if “a city or a state refuses to take the actions that are necessary to defend the life and property of their residents, then I will deploy the United States military and quickly solve the problem for them.”

14.

President Trump's statements about Black demonstrators and civil rights protesters were different from his statements about other demonstrators. President Trump has routinely been sympathetic to demonstrators who share his own political agenda.

15.

For example, President Trump expressed support when heavily armed and predominantly white demonstrators threatened lawmakers and stormed statehouses to object to coronavirus stay-at-home rules. In response to the 2017 white nationalist Unite the Right rally in Charlottesville, Virginia, President Trump said, "You had very fine people, on both sides".

16.

In July of 2020, Secretary Wolf and senior DHS officials, acting under the orders of President Trump, took to the airwaves and social media to amplify President Trump's political message of law and order, using Portland, where protests over racial inequality and police brutality persisted, as an example.

17.

DHS law enforcement officers from Immigration and Customs Enforcement and Customs and Border Protection, two of the department's immigration agencies, were deployed to Portland. According to Oregon's governor, Secretary Wolf was "on a mission to provoke confrontation for political purposes." "The Trump administration needs to stop playing politics with people's lives."

18.

"Demonstrators in Portland have been protesting racial inequality and police brutality for the last 50 nights, US Attorney Billy J. Williams said in a statement. Federal authorities have protected the Mark O. Hatfield US Courthouse and, at times, interaction between protesters and law enforcement has gotten violent. Last weekend, one protester was seriously injured after the man was shot in the head with impact munition."

– *CNN*, July 20, 2020

19.

As of the date of this complaint, the U.S. Attorney for the Oregon District has requested an investigation into DHS and its treatment of protesters in Portland.



**20.**

According to U.S. Senator Jeff Merkley, “Authoritarian governments, not democratic republics, send unmarked authorities after protesters. These Trump/Barr tactics designed to eliminate any accountability are absolutely unacceptable in America, and must end.”

**21.**

Secretary Wolf recently told *Fox News*, ““I offered DHS support to help them locally address the situation that’s going on in Portland, and their only response was: please pack up and go home. That’s just not going to happen on my watch.”

**22.**

On July 18, 2020, Mr. Paul and other peaceful protesters were exercising their First Amendment right to assemble, speak, and petition the government in downtown Portland. Mr. Paul and others were engaging in political speech to address, through the exercise of their constitutional rights, the infection of overt and systemic racism in the American criminal justice system.

**23.**

Black people are arrested at twice the rate of their population, detained pretrial at a rate three-and-a-half times higher than white people, and imprisoned at a rate of almost six times that of white people. Black people are three times more likely to be killed by the police than white people. On July 18, 2020, Mr. Paul was exercising his First Amendment right to protest and to change these systematic issues.

**24.**

As alleged in this complaint, in order to silence Mr. Paul and to stop him from peacefully exercising his First Amendment rights, federal agents, at the direction of Secretary Wolf, in order to carry out the political agenda of President Trump, beat and mutilated Mr. Paul so badly that he had to spend the night in the emergency room. The beating and mutilation of Mr. Paul by federal agents was under the direction of President Trump and other senior White House officials.



**25.**

On July 20, 2020, DHS Deputy Secretary Ken Cuccinelli tweeted videos and images of Portland, falsely labeling the unfolding situation as “terrorism” and projecting President Trump’s political message of instability. Secretary Wolf said in a Fox News interview that the department will intervene as it sees fit.

**26.**

“It’s not the first time DHS – the largest federal law enforcement organization – has found itself acting upon Trump’s long-held feuds against Democratic-run cities. Earlier this year, the department barred New York residents from applying to some Trusted Traveler Programs, like Global Entry, over legislation passed in the state relating to undocumented immigrants. Before then, the administration weighed retaliatory measures against so-called sanctuary cities.”

– *CNN*, July 20, 2020

**CLAIMS FOR RELIEF****— Claim One against Secretary Wolf and John Does 1-100 —****First Amendment Violation**

As alleged in this complaint, defendants violated the First Amendment to the U.S. Constitution by depriving Mr. Paul of his right to freedom of speech, freedom of assembly, and freedom to petition the government. Defendants deliberately violated well-established limitations on the exercise of speech in and assembly in public places, and did so for political reasons. Defendants' actions were based on the viewpoint being expressed by the peaceful protesters, including Mr. Paul. Defendants' violent actions were not a reasonable regulation of the time, place, or manner of Mr. Paul's First Amendment protected activity. These actions were not justified by a compelling—or even substantial—government interest justifying the infringement of Mr. Paul's First Amendment rights. Even if there were a compelling government interest in beating and mutilating peaceful protesters outside the Justice Center, defendants' actions were not narrowly tailored to serve any government interest in a lawful manner. Secretary Wolf and John Does 1-100 are jointly and severally liable to Mr. Paul under *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388, (1971), for this violation of his rights.

— Claim Two against Secretary Wolf and John Does 1-100 —

**Fourth Amendment Violation**

As alleged in this complaint, defendants violated the Fourth Amendment to the U.S. Constitution by using excessive physical force, including chemical agents, frightening loud munitions, batons and shields, and a physical charge at peaceful protesters including Mr. Paul, in order to forcibly remove or force them to move from the area outside the Justice Center, without a warrant or probable cause to arrest them—and the actions of Secretary Wolf in ordering such uses of force, violated Mr. Paul’s rights under the Fourth Amendment to the U.S. Constitution to be free from unreasonable seizures. Secretary Wolf and John Does 1-100 are jointly and severally liable to Mr. Paul under *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388, (1971), for this violation of his rights.

— Claim Three against all Defendants —

**First Amendment Threatened Violation**

Defendants' practice of deploying physical force against peaceful protesters to remove them from places in which they have gathered with others to express their political opinions, as manifest by their actions against Mr. Paul outside the Justice Center on July 18, 2020, by their repeated threats to deploy violence against protestors demonstrating against racial injustice generally and in Portland specifically, and by President Trump's statements as alleged in this complaint, threatens Mr. Paul with violations of his First Amendment rights of freedom of speech and assembly when he carries out his stated intention to return to the Justice Center when it is open to the public to express his political views. By depriving Mr. Paul of the opportunity to express his views on such future occasions, defendants will impose irreparable harm on Mr. Paul.

— **Claim Four against all Defendants** —

**Fourth Amendment Threatened Violation**

Defendants' practice of deploying excessive physical force without provocation, warning, or legal grounds to do so, against peaceful protesters to force them to halt or to move, as manifest by their actions against Mr. Paul and others outside the Justice Center on July 18, 2020, by their repeated threats to deploy violence against protestors demonstrating against racial injustice generally and in Portland specifically, and by President Trump's statements as alleged in this complaint, threatens Mr. Paul with violations of his Fourth Amendment rights when he carries out his stated intention to return to the Justice Center when it is open to the public to express his political views. By subjecting Mr. Paul to such unreasonable seizures, defendants will impose irreparable harm on Mr. Paul.

— **Claim Five against Secretary Wolf and John Does 1-100** —

**Conspiracy to Deprive Rights**

As alleged in this complaint, Secretary Wolf and John Does 1-100 conspired together to deprive Mr. Paul of his civil rights in violation of 42 U.S.C. § 1985(3). The conspiracy included those involved with law enforcement actions outside the Justice Center on July 18, 2020 between 6:00 pm and 7:00 pm including President Trump, Secretary Wolf and John Does 1-100. The conspirators engaged in overt acts in furtherance of the conspiracy, including the use of excessive violent force against civil rights activists outside the Justice Center. The conspiracy targeted Black people and their supporters. Both groups are protected classes under 42 U.S.C. § 1985(3). President Trump, Secretary Wolf and others directed the conspiracy to take these actions because of their adverse effects on an identifiable group—namely, civil rights activists. The conspiracy targeted protected rights of Mr. Paul, who is a civil rights activist. The conspiracy targeted Mr. Paul’s protected First Amendment activities because defendants held animus towards Mr. Paul’s viewpoints. The violent actions of the conspirators directly and unlawfully interfered with Mr. Paul’s First Amendment activities. The conspiracy violently interfered with Mr. Paul’s right to demonstrate outside the Justice Center, a place of public accommodation.



— **Claim Six against Secretary Wolf and John Does 1-100** —

**Failure to Prevent a Conspiracy to Deprive Rights**

As alleged in this complaint, Secretary Wolf and John Does 1-100 violated 42 U.S.C. § 1986 by failing to meet their duty to prevent or aid in preventing conspiracies to deprive civil rights. Secretary Wolf and John Does 1-100 knew that a Section 1985 violation was about to occur or was occurring, had the power to prevent or aid in preventing it, and neglected or refused to prevent or aid in preventing it. Law enforcement's failure to stop unlawful violence by a Section 1985(3) conspiracy when they know it is about to occur is a quintessential Section 1986 violation. As alleged in this complaint, the Section 1985 conspiracy consisted of using violence against peaceful civil rights activists. Secretary Wolf and John Does 1-100 knew that such violence was planned and could have taken actions to stop or limit that violence. Secretary Wolf and John Does 1-100 willfully or negligently took no such action. Secretary Wolf and John Does 1-100 could and should have refused to comply with unlawful orders, refused to use excessive force when clearing the area outside the Justice Center, or attempted to appeal to superiors to take a different course of action. As a result of defendants' failure to prevent or aid in preventing the Section 1985 conspiracy, Mr. Paul was injured and his rights were violated.

33.

**JURY TRIAL REQUEST**

Mr. Paul requests trial by jury.

34.

**PRAYER FOR RELIEF**

Mr. Paul respectfully requests a judgment declaring that the acts of defendants described in this complaint violate the First Amendment, the Fourth Amendment, 42 U.S.C. § 1985, and 42 U.S.C. § 1986, an injunction ordering defendants to cease engaging in the unlawful acts described in this complaint, fair compensation for damages sustained by Mr. Paul as alleged in this complaint, attorney fees, costs, and any other relief that the Court may deem appropriate.

July 21, 2020

**RESPECTFULLY FILED,**

s/ Michael Fuller

**Michael Fuller, OSB No. 09357**  
Of Pro Bono Attorneys for Plaintiff  
OlsenDaines  
US Bancorp Tower  
111 SW 5th Ave., Suite 3150  
Portland, Oregon 97204  
michael@underdoglawyer.com  
Direct 503-222-2000

Appointment

From: (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

Sent: 8/24/2020 6:44:18 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) FLORES, ALBERTO A  
(b)(6), (b)(7)(C) FORET, VERNON T

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) HERNANDEZ, ROSA E

(b)(6), (b)(7)(C) AKI, SIDNEY K

(b)(6), (b)(7)(C) RAMIREZ, GUADALUPE

H (b)(6), (b)(7)(C) MURDOCK, JUDSON

(b)(6), (b)(7)(C) FLORES, PETE

ROMERO (b)(6), (b)(7)(C) HOWE, RANDY J

(b)(6), (b)(7)(C) MANCHA, HECTOR  
(b)(6), (b)(7)(C) MARTEL, CARLOS C  
(b)(6), (b)(7)(C) HOLTZER,

CHRISTOPHER R (b)(6), (b)(7)(C) DURST, CASEY OWEN

(b)(6), (b)(7)(C) BROPHY, ROSE M  
(b)(6), (b)(7)(C) DINUCCI, RICHARD F  
(b)(6), (b)(7)(C) HUMPHREY, BRIAN J

(DFO) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) MILLER, TROY A

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) STUNTZ, SHELBY

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

CC:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) BLESSEY, CAROLINE M

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC), (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OCC), (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

**Subject:** Portland Litigation Update

**Attachments:** 08242020 PORTLANDCase Update-DFOs.pdf; (157) PI Opinion.pdf

**Start:** 8/24/2020 5:30:00 PM

**End:** 8/24/2020 6:30:00 PM

**Show Time As:** Tentative

**Required Attendees:** (b)(6), (b)(7)(C) FLORES, ALBERTO A; FORET, VERNON T;  
(b)(6), (b)(7)(C)



Need help? Go to <http://help.webex.com>

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**



**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**



**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**



**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

**Withheld in full pursuant to (b)(5), (b)(6), (b)(7)(C)**

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/27/2020 11:48:18 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances

(b)(6), (b)(7)(C)

Chief Patrol Agent  
USBP | Special Operations Group

(b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, September 27, 2020 4:47:32 PM  
**To:** SCOTT, RODNEY S (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J  
(b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C)  
**Subject:** Re: CBP RESPONSE: DHS Force Actions for Civil Disturbances

Will do, Chief. Thanks and see you tomorrow.

(b)(6), (b)(7)(C)

Chief Patrol Agent  
USBP | Special Operations Group

(b)(6), (b)(7)(C)

---

**From:** SCOTT, RODNEY S (b)(6), (b)(7)(C)  
**Sent:** Sunday, September 27, 2020 4:45:06 PM  
**To:** (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J  
(b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances

(b)(6), (b)(7)(C) see message below from AC1. Please share with our personnel. Also please pass along my most sincere appreciation saw well.

Thanks!!

Honor First.

Rodney Scott  
USBP

Sent from my iPhone

Begin forwarded message:

**From:** "MORGAN, MARK A" (b)(6), (b)(7)(C)  
**Date:** September 27, 2020 at 7:10:51 AM PDT

**To:** "YOUNG, EDWARD E" (b)(6), (b)(7)(C) "SCOTT, RODNEY S" (b)(6), (b)(7)(C) "FERRARA, WILLIAM" (b)(6), (b)(7)(C) "FLORES, PETE ROMERO" (b)(6), (b)(7)(C) "HUFFMAN, BENJAMINE C" (b)(6), (b)(7)(C) "SMITH, BRENDA BROCKMAN" (b)(6), (b)(7)(C)  
**Cc:** "PEREZ, ROBERT E" (b)(6), (b)(7)(C) "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances

Folks,

The level of support we're providing is incredible! Thank you for your continued leadership and unwavering support of not only our DHS/FPS colleagues, but our state and local law enforcement partners.

Please pass along my heartfelt and sincere appreciation to all the personnel who have been and continue to step-up, again and again to protect the America people and uphold the rule of law. Their relentless dedication and self-sacrifice represents the the essence of our great organization!

Regardless of the on-going unjustified and mis-placed rhetoric out there, I know without a doubt the majority of the American people appreciate and support our men and women.

Thanks,  
Mark

Sent from my iPhone

Begin forwarded message:

**From:** SITROOM (b)(7)(E)  
**Date:** September 27, 2020 at 5:51:34 AM EDT  
**To:** "NOC.SWO.Restricted" (b)(7)(E)  
**Cc:** "MORGAN, MARK A" (b)(6), (b)(7)(C) "PEREZ, ROBERT E" (b)(6), (b)(7)(C) "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "SCOTT, RODNEY S"  
(b)(6), (b)(7)(C) "ORTIZ, RAUL E"  
(b)(6), (b)(7)(C) "PORVAZNIK, ANTHONY J"  
(b)(6), (b)(7)(C) "YOUNG, EDWARD E"  
(b)(6), (b)(7)(C) "BOYER, STEPHEN A"  
(b)(6), (b)(7)(C) "MICHELINI, DENNIS J"  
(b)(6), (b)(7)(C) "FERRARA, WILLIAM"  
(b)(6), (b)(7)(C) "ORTIZ, RAUL L"  
(b)(6), (b)(7)(C) "SABATINO, DIANE J"  
(b)(6), (b)(7)(C) "BOYER, STEPHEN A"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "FORET, VERNON T"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "SMITH, BRENDA BROCKMAN" (b)(6), (b)(7)(C)

"WHITTENBURG, CYNTHIA F (DEAC OT)"

(b)(6), (b)(7)(C)	"LEONARD, JOHN P"
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	"HUFFMAN, BENJAMINE C"
(b)(6), (b)(7)(C)	GRABLE, SAMUEL D"
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	"PORVAZNIK, ANTHONY J"
(b)(6), (b)(7)(C)	"SALAZAR, REBEKAH A."
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	"FLORES, PETE ROMERO"
(b)(6), (b)(7)(C)	"JACKSTA, LINDA L"
(b)(6), (b)(7)(C)	"COLLINS, JAMES L."
(b)(6), (b)(7)(C)	"OCKER, RONALD J"
(b)(6), (b)(7)(C)	"RUSSO, FRANCIS J"

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)	"Tomney, Christopher"	
(b)(6)	WATCH CBP INTEL	
(b)(7)(E)	CBP HQ EOC	(b)(7)(E)

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)	LEOD-OPS-CELL	
(b)(7)(E)	Ops ACC Distro	
(b)(7)(E)	"DANLEY, ROBERT"	
(b)(6), (b)(7)(C)	"HEITKE, AARON M"	
(b)(6), (b)(7)(C)	"MCGURK-DANIEL, PATRICIA"	
(b)(6), (b)(7)(C)	OPS SPECIAL	
OPERATIONS	(b)(7)(E)	SOG EOC

**(b)(6), (b)(7)(C)**

(b)(7)(E)	CBP SITROOM- SWOS	(b)(7)(E)
(b)(6), (b)(7)(C), (b)(7)(E)		
(b)(6), (b)(7)(C)		
(b)(6), (b)(7)(C)	SITROOM <GMB-	

(b)(7)(E)

**Subject: CBP RESPONSE: DHS Force Actions for Civil Disturbances**

Good morning,

Please see the CBP response regarding law enforcement support to civil disturbances. Any updates have been made in red.

**Louisville, Kentucky:**

CBP IC/Tactical Team deployed at 1100 EDT to (b)(7)(E) (b)(7)(E) and (b)(7)(E) (b)(7)(E) FPS requested CBP to provide support due to a planned "Patriot Rally" at 1100 EDT (Approximately 7 miles south of the Federal buildings). No known threats to Federal buildings but FPS/CBP personnel will be on a standby.

Strategic planning and tactical team briefs scheduled at the Kentucky Exposition Center with CBP (SOG, SOD DTM, SOD SDC, OTD, OPR, AMO, PAO) ICE ERO SRT, HSI SRT, Louisville Metro Police Department (LMPD), Kentucky National Guard and FPS team leaders. DHS teams tasked with protecting the

(b)(7)(E)

and (b)(7)(E)

(b)(7)(E)

AMO will support with (b)(7)(E) air assets (b)(7)(E)

(b)(7)(E) throughout the operation. AMO plans on providing coverage (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

Louisville Metro curfew will be in effect from 2100-0630.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

1. (b)(7)(E) SOG (Incident Command)
2. (b)(7)(E) SOG BTC
3. SOG BST
4. SDC BTC
5. DTM BTC
6. DTM BST
7. SOG IU
8. AMO
9. OS LESC
10. OPR
11. PAO

09/26/2020 at 1110 hours EDT: CBP personnel are forward deployed to (b)(7)(E) (b)(7)(E) (location of (b)(7)(E)). Nothing significant to report.

09/26/2020 at 1708 hours EDT: SOG (b)(7)(E) deployed (b)(7)(E) (b)(7)(E) (b)(7)(E) providing greater situational awareness.

09/26/2020 at 2100 hours EDT: Curfew announcement made at Jefferson Park.

Final Update:

\*\*\*Personnel/Air Asset Correction: (b)(7)(E) with (b)(7)(E) AMO personnel returned to air branch\*\*\*

09/26/2020 at 2205 hours EDT:

1. AMO air asset still (b)(7)(E)
2. Protesters dispersed throughout the city.
3. FPS gave stand down order.
4. CBP ground assets did not deploy.
5. No significant activity to report.

Path Forward: CBP personnel will continue to support FPS as a QRF.

---

### **Seattle, Washington:**

At 1300 PDT, September 26, 2020, OFO SRT and Federal Protective Service (FPS) briefed at the Henry M. Jackson Federal Building. FPS and OFO SRT will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

### **CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

1. (b)(7)(E) OFO SRT

9/26/20 at 1600 hours PDT: No one is gathered near the US District Court Building, Henry M. Jackson Federal Building, or the William Kenzo Nakamura Court House. There is a small protest of approximately 250 people marching by Cal Anderson Park (approximately 1.5 miles to the east). Currently marching west.

09/26/2020 at 1745 PDT: Approximately 300 protesters marching in the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House.



09/26/2020 at 1750 PDT: Protesters spray painting City Hall and county courthouse.

09/26/2020 at 1800 PDT: Protesters throwing rocks at Seattle Police vehicles.

09/26/2020 at 1810 PDT: Protesters march east away from the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House. No CBP or FPS deployed outside the buildings.

Final Update:

09/27/20 at 0001 hours PDT:

1. FPS gave the stand down order.
2. All protesters in the city have dispersed.
3. CBP Personnel did not deploy at any time.
4. All QRF Personnel ordered stand down.
5. No significant incidents/injuries to report at the Federal facilities.
6. No arrests were made.
7. No change to path forward. CBP will maintain QRF posture.

---

### **Portland, Oregon:**

At 1100 PDT, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau (PPB) and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

### **CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

2. (b)(7)(E) SOG BTC
3. (b)(7)(E) SDC SOD
4. (b)(7)(E) YUM SOD
5. (b)(7)(E) BLW SOD

09/26/2020 at 1300 PDT: Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the (b)(7)(E). (b)(7)(E) There is currently no one gathered at the downtown area

(Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

09/26/2020 at 1320 PDT: Delta Park Portland, Oregon approximately 700 Proud Boys members are staging. Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging. No USBP or FPS are deployed outside the downtown Federal building area.

09/26/2020 at 1523 PDT: Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area. Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area. No USBP or FPS are deployed outside the downtown Federal building area

09/26/2020 at 1740 PDT: Unconfirmed Intel that Antifa/BLM may move to Justice Center to protest at 1900 hours. Proud Boys may counter protest at the Justice Center at 2000 hours. USBP and FPS still staged at the (b)(7)(E) (b)(7)(E) USBP has not left the building. Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).

09/26/2020 at 2050 PDT: Approximately 150 protestors gathered at Lownsdale/Chapman Park Area. Nothing else significant to report. USBP and FPS still staged at the (b)(7)(E) USBP has not left the building.

09/26/2020 at 2122 PDT: Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center. PPB responds and tells protestors to stop throwing objects at police and to clear the streets. Arrests are being made by PPB. Unlawful assembly has been announced by PPB. USBP and FPS remain staged inside the (b)(7)(E) (b)(7)(E) USBP and FPS have not left the building.

09/26/2020 at 2234 PDT: FPS exited the Edith Green Wendell Wyatt Federal building and detained a civilian drone pilot for PPB. The drone pilot will be handed over to PPB for questioning. No USBP exited the building and remain staged at the (b)(7)(E)

09/26/2020 at 2330 PDT: PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park. FPS and USBP remained staged in the (b)(7)(E) No USBP deployed from the (b)(7)(E)

Final Update:

09/27/2020 at 0010 PDT:

1. PPB and Oregon State Police cleared the city parks.
2. FPS gave the stand down order.
3. No arrests or deployments for USBP.

NEXT 24 HOURS:

1. USBP personnel will remain in QRF posture for FPS
2. Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building

---

### **Oakland, California:**

The Federal Protective Services' (FPS) Regional Director in San Francisco requested local assistance with a planned protest in the Lake Merritt area of Oakland on September 25, 2020. FPS requested CBP to provide additional tactical support at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E).

The OFO Special Response Team from the San Francisco Field Office will be supporting FPS with Special Response Team (SRT) operators. Will send any significant updates and a closeout once operations are complete.

#### **CBP MANPOWER 09/25/20:** [REDACTED] CBP Personnel

1. [REDACTED] SRT (OFO)

09/25/2020 at 1630 PDT: RT personnel are forward deployed to [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E).

09/25/2020 at 1720 PDT: SRT arrived at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) to stage gear.

09/25/2020 at 2130 PDT: Protesters are about 200 in size, passed by the Ronald V. Dellums Federal Building and Federal Courthouse.

09/25/2020 at 2215 PDT: Oakland Police Department reported the crowd dispersing at initial rally point, Lake Merritt Amphitheatre.

09/25/2020 at 2330 PDT: SRT demobilized and departed [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E).

09/26/2020 at 0030 PDT: SRT RTB and all gear and personnel accounted for.

09/26/2020 at 1630 PDT: RT personnel are forward deployed to [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E).

09/26/2020 at 1720 PDT: SRT arrived at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) to stage gear. No arrests, no injuries, no use of force incidents, and no critical incidents to report.

---

### **Chicago, Illinois:**

Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), the Aurora Police Department (APD), and Kane County Sheriff's Department (KCSO) may request [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) helicopter support from the Chicago Air Unit, to assist law enforcement efforts during civil unrest in Chicago, Aurora, and surrounding areas. [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

09/26/2020 at 2000-0200 CDT: HSI Chicago, CPD, APD, and KCSD may request assistance during civil unrest in the Chicago area.

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/28/2020 12:50:08 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: CBP RESPONSE: DHS Force Actions for Civil Disturbances

T4.

(b)(6), (b)(7)(C)  
Special Operations Supervisor  
Special Operations Group  
Border Patrol Tactical Group (BORTAC)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (cell)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, September 27, 2020 6:03 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances

All,

See the below accolades from B1 and C1. Please share with the teams.

(b)(6), (b)(7)(C)  
Chief Patrol Agent  
USBP | Special Operations Group  
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, September 27, 2020 4:47 PM  
**To:** SCOTT, RODNEY S; PORVAZNIK, ANTHONY J; ORTIZ, RAUL L  
**Subject:** Re: CBP RESPONSE: DHS Force Actions for Civil Disturbances

Will do, Chief. Thanks and see you tomorrow.

(b)(6), (b)(7)(C)  
Chief Patrol Agent  
USBP | Special Operations Group  
(b)(6), (b)(7)(C)

**From:** SCOTT, RODNEY S (b)(6), (b)(7)(C)  
**Sent:** Sunday, September 27, 2020 4:45:06 PM  
**To:** (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J  
(b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances

(b)(6), (b)(7)(C) see message below from AC1. Please share with our personnel. Also please pass along my most sincere appreciation saw well.

Thanks!!

Honor First.

Rodney Scott  
USBP

Sent from my iPhone

Begin forwarded message:

**From:** "MORGAN, MARK A" (b)(6), (b)(7)(C)  
**Date:** September 27, 2020 at 7:10:51 AM PDT  
**To:** "YOUNG, EDWARD E" (b)(6), (b)(7)(C) "SCOTT, RODNEY S" (b)(6), (b)(7)(C) "FERRARA, WILLIAM" (b)(6), (b)(7)(C) "FLORES, PETE ROMERO" (b)(6), (b)(7)(C) "HUFFMAN, BENJAMINE C" (b)(6), (b)(7)(C) "SMITH, BRENDA BROCKMAN" (b)(6), (b)(7)(C)  
**Cc:** "PEREZ, ROBERT E" (b)(6), (b)(7)(C) "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances

Folks,

The level of support we're providing is incredible! Thank you for your continued leadership and unwavering support of not only our DHS/FPS colleagues, but our state and local law enforcement partners.

Please pass along my heartfelt and sincere appreciation to all the personnel who have been and continue to step-up, again and again to protect the America people and uphold the rule of law. Their relentless dedication and self-sacrifice represents the the essence of our great organization!

Regardless of the on-going unjustified and mis-placed rhetoric out there, I know without a doubt the majority of the American people appreciate and support our men and women.

Thanks,  
Mark

Sent from my iPhone

Begin forwarded message:

**From:** SITROOM (b)(7)(E)  
**Date:** September 27, 2020 at 5:51:34 AM EDT  
**To:** "NOC.SWO.Restricted" (b)(7)(E)

Cc: "MORGAN, MARK A" (b)(6), (b)(7)(C) "PEREZ,  
ROBERT E" (b)(6), (b)(7)(C) "SEGUIN, DEBBIE W"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "SCOTT, RODNEY S"  
(b)(6), (b)(7)(C) "ORTIZ, RAUL E"  
(b)(6), (b)(7)(C) "PORVAZNIK, ANTHONY J"  
(b)(6), (b)(7)(C) "YOUNG, EDWARD E"  
(b)(6), (b)(7)(C) "BOYER, STEPHEN A"  
(b)(6), (b)(7)(C) "MICHELINI, DENNIS J"  
(b)(6), (b)(7)(C) "FERRARA, WILLIAM"  
(b)(6), (b)(7)(C) "ORTIZ, RAUL L"  
(b)(6), (b)(7)(C) "SABATINO, DIANE J"  
(b)(6), (b)(7)(C) "BOYER, STEPHEN A"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "FORET, VERNON T"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "SMITH, BRENDA  
BROCKMAN" (b)(6), (b)(7)(C)  
"WHITTENBURG, CYNTHIA F (DEAC OT)"  
(b)(6), (b)(7)(C) "LEONARD, JOHN P"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "HUFFMAN, BENJAMINE C"  
(b)(6), (b)(7)(C) "GRABLE, SAMUEL D"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "PORVAZNIK, ANTHONY J"  
(b)(6), (b)(7)(C) "SALAZAR, REBEKAH A."  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "FLORES, PETE ROMERO"  
(b)(6), (b)(7)(C) "JACKSTA, LINDA L"  
(b)(6), (b)(7)(C) "COLLINS, JAMES L."  
(b)(6), (b)(7)(C) "OCKER, RONALD J"  
(b)(6), (b)(7)(C) "RUSSO, FRANCIS J"

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C) "Tomney, Christopher"

(b)(6) WATCH CBP INTEL

(b)(7)(E) CBP HQ EOC (b)(7)(E)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C) "LANDRUM, RYAN P"

**(b)(6), (b)(7)(C)**

<b>(b)(6), (b)(7)(C)</b>		
<b>(b)(6), (b)(7)(C)</b>		LEOD-OPS-CELL
<b>(b)(7)(E)</b>	Ops ACC Distro	
<b>(b)(7)(E)</b>	"DANLEY, ROBERT"	
<b>(b)(6), (b)(7)(C)</b>		"HEITKE, AARON M"
<b>(b)(6), (b)(7)(C)</b>		"MCGURK-DANIEL, PATRICIA"
<b>(b)(6), (b)(7)(C)</b>		OPS SPECIAL
OPERATIONS	<b>(b)(7)(E)</b>	SOG EOC
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		
<b>(b)(6), (b)(7)(C)</b>		
<b>(b)(6), (b)(7)(C)</b>		CBP SITROOM- SWOS
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		<b>(b)(7)(E)</b>
<b>(b)(6), (b)(7)(C)</b>		
<b>(b)(6), (b)(7)(C)</b>		SITROOM
<b>(b)(7)(E)</b>		<b>(b)(7)(E)</b>

**Subject: CBP RESPONSE: DHS Force Actions for Civil Disturbances**

Good morning,

Please see the CBP response regarding law enforcement support to civil disturbances. Any updates have been made in red.

**Louisville, Kentucky:**

CBP IC/Tactical Team deployed at 1100 EDT to **(b)(7)(E)**  
**(b)(7)(E)** and **(b)(7)(E)**. FPS requested CBP to provide support due to a planned "Patriot Rally" at 1100 EDT (Approximately 7 miles south of the Federal buildings). No known threats to Federal buildings but FPS/CBP personnel will be on a standby.

Strategic planning and tactical team briefs scheduled at the Kentucky Exposition Center with CBP (SOG, SOD DTM, SOD SDC, OTD, OPR, AMO, PAO) ICE ERO SRT, HSI SRT, Louisville Metro Police Department (LMPD), Kentucky National Guard and FPS team leaders. DHS teams tasked with protecting the

**(b)(7)(E)**  
 and **(b)(7)(E)**  
**(b)(7)(E)**

AMO will support with **(b)(7)(E)** air assets **(b)(7)(E)**  
**(b)(7)(E)** throughout the operation. AMO plans on providing coverage **(b)(7)(E)**  
**(b)(7)(E)**

**(b)(7)(E)**



Louisville Metro curfew will be in effect from 2100-0630.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

1. (b)(7)(E) SOG (Incident Command)
2. (b)(7)(E) SOG BTC
3. SOG BST
4. SDC BTC
5. DTM BTC
6. DTM BST
7. (b)(7)(E) SOG IU
8. AMO
9. OS LESC
10. OPR
11. PAO

09/26/2020 at 1110 hours EDT: CBP personnel are forward deployed to (b)(7)(E) (b)(7)(E) (location of (b)(7)(E) (b)(7)(E) Nothing significant to report.

09/26/2020 at 1708 hours EDT: SOG (b)(7)(E) deployed (b)(7)(E) (b)(7)(E) (b)(7)(E) (b)(7)(E) providing greater situational awareness.

09/26/2020 at 2100 hours EDT: Curfew announcement made at Jefferson Park.

Final Update:

\*\*\*Personnel/Air Asset Correction: (b)(7)(E) with (b)(7)(E) AMO personnel returned to air branch\*\*\*

09/26/2020 at 2205 hours EDT:

1. AMO air asset still (b)(7)(E)
2. Protesters dispersed throughout the city.
3. FPS gave stand down order.
4. CBP ground assets did not deploy.
5. No significant activity to report.

Path Forward: CBP personnel will continue to support FPS as a QRF.

---

**Seattle, Washington:**

At 1300 PDT, September 26, 2020, OFO SRT and Federal Protective Service (FPS) briefed at the Henry M. Jackson Federal Building. FPS and OFO SRT will be deployed at the (b)(7)(E) (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress

points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 09/26/20:** (b)(7)(E) **CBP Personnel**

1. (b)(7)(E) OFO SRT

9/26/20 at 1600 hours PDT: No one is gathered near the US District Court Building, Henry M. Jackson Federal Building, or the William Kenzo Nakamura Court House. There is a small protest of approximately 250 people marching by Cal Anderson Park (approximately 1.5 miles to the east). Currently marching west.

09/26/2020 at 1745 PDT: Approximately 300 protesters marching in the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House.

09/26/2020 at 1750 PDT: Protesters spray painting City Hall and county courthouse.

09/26/2020 at 1800 PDT: Protesters throwing rocks at Seattle Police vehicles.

09/26/2020 at 1810 PDT: Protesters march east away from the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House. No CBP or FPS deployed outside the buildings.

Final Update:

09/27/20 at 0001 hours PDT:

1. FPS gave the stand down order.
2. All protesters in the city have dispersed.
3. CBP Personnel did not deploy at any time.
4. All QRF Personnel ordered stand down.
5. No significant incidents/injuries to report at the Federal facilities.
6. No arrests were made.
7. No change to path forward. CBP will maintain QRF posture.

---

**Portland, Oregon:**

At 1100 PDT, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for

today's events will be mass shootings, overwhelming Portland Police Bureau (PPB) and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

2. (b)(7)(E) SOG BTC
3. (b)(7)(E) SDC SOD
4. (b)(7)(E) YUM SOD
5. (b)(7)(E) BLW SOD

09/26/2020 at 1300 PDT: Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the (b)(7)(E) (b)(7)(E). There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

09/26/2020 at 1320 PDT: Delta Park Portland, Oregon approximately 700 Proud Boys members are staging. Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging. No USBP or FPS are deployed outside the downtown Federal building area.

09/26/2020 at 1523 PDT: Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area. Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area. No USBP or FPS are deployed outside the downtown Federal building area

09/26/2020 at 1740 PDT: Unconfirmed Intel that Antifa/BLM may move to Justice Center to protest at 1900 hours. Proud Boys may counter protest at the Justice Center at 2000 hours. USBP and FPS still staged at the (b)(7)(E) (b)(7)(E). USBP has not left the building. Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).

09/26/2020 at 2050 PDT: Approximately 150 protestors gathered at Lownsdale/Chapman Park Area. Nothing else significant to report. USBP and FPS still staged at the (b)(7)(E). USBP has not left the building.

09/26/2020 at 2122 PDT: Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center. PPB responds and tells protestors to stop throwing objects at police and to clear the streets. Arrests are being made by PPB. Unlawful assembly has been announced by PPB. USBP and FPS remain staged (b)(7)(E) (b)(7)(E). USBP and FPS have not left the building.

09/26/2020 at 2234 PDT: FPS exited the Edith Green Wendell Wyatt Federal building and detained a civilian drone pilot for PPB. The drone pilot will be

handed over to PPB for questioning. No USBP exited the building and remain staged at the (b)(7)(E)

09/26/2020 at 2330 PDT: PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park. FPS and USBP remained staged in the (b)(7)(E) No USBP deployed from the (b)(7)(E)

Final Update:

09/27/2020 at 0010 PDT:

1. PPB and Oregon State Police cleared the city parks.
2. FPS gave the stand down order.
3. No arrests or deployments for USBP.

NEXT 24 HOURS:

1. USBP personnel will remain in QRF posture for FPS
2. Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building

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### **Oakland, California:**

The Federal Protective Services' (FPS) Regional Director in San Francisco requested local assistance with a planned protest in the Lake Merritt area of Oakland on September 25, 2020. FPS requested CBP to provide additional tactical support at the (b)(7)(E) (b)(7)(E)

The OFO Special Response Team from the San Francisco Field Office will be supporting FPS with Special Response Team (SRT) operators. Will send any significant updates and a closeout once operations are complete.

CBP MANPOWER 09/25/20: CBP Personnel

1. SRT (OFO)

09/25/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) (b)(7)(E) and (b)(7)(E)

09/25/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) (b)(7)(E) and (b)(7)(E) to stage gear.

09/25/2020 at 2130 PDT: Protesters are about 200 in size, passed by the Ronald V. Dellums Federal Building and Federal Courthouse.

09/25/2020 at 2215 PDT: Oakland Police Department reported the crowd dispersing at initial rally point, Lake Merritt Amphitheatre.

09/25/2020 at 2330 PDT: SRT demobilized and departed (b)(7)(E) (b)(7)(E) and (b)(7)(E)

09/26/2020 at 0030 PDT: SRT RTB and all gear and personnel accounted for.

09/26/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) and (b)(7)(E)

09/26/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) (b)(7)(E) and (b)(7)(E) to stage gear. No arrests, no injuries, no use of force incidents, and no critical incidents to report.

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**Chicago, Illinois:**

Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), the Aurora Police Department (APD), and Kane County Sheriff's Department (KCSD) may request (b)(7)(E) helicopter support from the Chicago Air Unit, to assist law enforcement efforts during civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E)  
(b)(7)(E)

09/26/2020 at 2000-0200 CDT: HSI Chicago, CPD, APD, and KCSD may request assistance during civil unrest in the Chicago area.

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/27/2020 2:10:47 PM  
**To:** YOUNG, EDWARD E; (b)(6), (b)(7)(C); SCOTT, RODNEY S; (b)(6), (b)(7)(C); FERRARA, WILLIAM; (b)(6), (b)(7)(C); FLORES, PETE; ROMERO; (b)(6), (b)(7)(C); HUFFMAN, BENJAMINE C; (b)(6), (b)(7)(C); SMITH, BRENDA; BROCKMAN; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
**CC:** PEREZ, ROBERT E; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: DHS Force Actions for Civil Disturbances  
**Attachments:** 27SEPT2020 0600 CBP LE Support to Civil Disturbances.docx; ATT00001.htm

Folks,

The level of support we're providing is incredible! Thank you for your continued leadership and unwavering support of not only our DHS/FPS colleagues, but our state and local law enforcement partners.

Please pass along my heartfelt and sincere appreciation to all the personnel who have been and continue to step-up, again and again to protect the America people and uphold the rule of law. Their relentless dedication and self-sacrifice represents the the essence of our great organization!

Regardless of the on-going unjustified and mis-placed rhetoric out there, I know without a doubt the majority of the American people appreciate and support our men and women.

Thanks,

Mark

Sent from my iPhone

Begin forwarded message:

**From:** SITROOM; (b)(7)(E)  
**Date:** September 27, 2020 at 5:51:34 AM EDT  
**To:** "NOC.SWO.Restricted"; (b)(7)(E)  
**Cc:** "MORGAN, MARK A"; (b)(6), (b)(7)(C); "PEREZ, ROBERT E"; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); "SCOTT, RODNEY S"

(b)(6), (b)(7)(C)	"ORTIZ, RAUL E"	(b)(6), (b)(7)(C)	"PORVAZNIK, ANTHONY J"
(b)(6), (b)(7)(C)	"BOYER, STEPHEN A"	(b)(6), (b)(7)(C)	"YOUNG, EDWARD E"
(b)(6), (b)(7)(C)	"MICHELINI, DENNIS J"	(b)(6), (b)(7)(C)	"FERRARA, WILLIAM"
(b)(6), (b)(7)(C)	"ORTIZ, RAUL L"	(b)(6), (b)(7)(C)	"SABATINO, DIANE J"
(b)(6), (b)(7)(C)	"BOYER, STEPHEN A"	(b)(6), (b)(7)(C)	"FORET, VERNON T"
(b)(6), (b)(7)(C)	"SMITH, BRENDA BROCKMAN"	(b)(6), (b)(7)(C)	"WHITTENBURG, CYNTHIA F (DEAC OT)"
(b)(6), (b)(7)(C)	BENJAMINE C"	(b)(6), (b)(7)(C)	"HUFFMAN, GRABLE, SAMUEL D"
(b)(6), (b)(7)(C)	"PORVAZNIK, ANTHONY J"	(b)(6), (b)(7)(C)	"SALAZAR, REBEKAH A."
(b)(6), (b)(7)(C)	"FLORES, PETE ROMERO"	(b)(6), (b)(7)(C)	"JACKSTA, LINDA L"
(b)(6), (b)(7)(C)	"OCKER, RONALD J"	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6)	(b)(6)
(b)(6)	WATCH CBP INTEL	(b)(7)(E)	CBP HQ EOC
(b)(7)(E)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
<b>(b)(6), (b)(7)(C)</b>			
(b)(6), (b)(7)(C)	LEOD-OPS-CELL	(b)(7)(E)	Ops ACC
Distro	(b)(7)(E)	(b)(6), (b)(7)(C)	"HEITKE, AARON M"
(b)(6), (b)(7)(C)	OPS SPECIAL OPERATIONS	(b)(7)(E)	SOG EOC
(b)(7)(E)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	CBP SITROOM- SWOS	(b)(7)(E)	(b)(7)(E)
(b)(7)(E)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)	SITROOM	(b)(7)(E)	(b)(6), (b)(7)(C)

Subject: CBP RESPONSE: DHS Force Actions for Civil Disturbances

Good morning,

Please see the CBP response regarding law enforcement support to civil disturbances. Any updates have been made in red.

**Louisville, Kentucky:**

CBP IC/Tactical Team deployed at 1100 EDT to (b)(7)(E) and (b)(7)(E) (b)(7)(E) FPS requested CBP to provide support due to a planned "Patriot Rally" at 1100 EDT (Approximately 7 miles south of the Federal buildings). No known threats to Federal buildings but FPS/CBP personnel will be on a standby.

Strategic planning and tactical team briefs scheduled at the Kentucky Exposition Center with CBP (SOG, SOD DTM, SOD SDC, OTD, OPR, AMO, PAO) ICE ERO SRT, HSI SRT, Louisville Metro Police Department (LMPD), Kentucky National Guard and FPS team leaders. DHS teams tasked with protecting the (b)(7)(E)

(b)(7)(E)

AMO will support with (b)(7)(E) air assets (b)(7)(E) throughout the operation. AMO plans on providing coverage (b)(7)(E) (b)(7)(E)

(b)(7)(E)

Louisville Metro curfew will be in effect from 2100-0630.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG (Incident Command)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) SOG IU
- (b)(7)(E) AMO
- (b)(7)(E) OS LESC
- (b)(7)(E) OPR
- (b)(7)(E) PAO

09/26/2020 at 1110 hours EDT: CBP personnel are forward deployed to (b)(7)(E) (location of (b)(7)(E) Nothing significant to report.

09/26/2020 at 1708 hours EDT: SOG (b)(7)(E) deployed (b)(7)(E) (b)(7)(E)

09/26/2020 at 2100 hours EDT: Curfew announcement made at Jefferson Park.

Final Update:

\*\*\*Personnel/Air Asset Correction: (b)(7)(E) with (b)(7)(E) AMO personnel returned to air branch\*\*\*

09/26/2020 at 2205 hours EDT:



- <!--[if !supportLists]--><![endif]-->AMO air asset still (b)(7)(E)
- <!--[if !supportLists]--><![endif]-->Protesters dispersed throughout the city.
- <!--[if !supportLists]--><![endif]-->FPS gave stand down order.
- <!--[if !supportLists]--><![endif]-->CBP ground assets did not deploy.
- <!--[if !supportLists]--><![endif]-->No significant activity to report.

Path Forward: CBP personnel will continue to support FPS as a QRF.

---

### **Seattle, Washington:**

At 1300 PDT, September 26, 2020, OFO SRT and Federal Protective Service (FPS) briefed at the Henry M. Jackson Federal Building. FPS and OFO SRT will be deployed at the (b)(7)(E)

(b)(7)(E) and the (b)(7)(E)  
 (b)(7)(E) Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

### **CBP MANPOWER 09/26/20: CBP Personnel**

- (b)(7)(E) OFO SRT

9/26/20 at 1600 hours PDT: No one is gathered near the US District Court Building, Henry M. Jackson Federal Building, or the William Kenzo Nakamura Court House. There is a small protest of approximately 250 people marching by Cal Anderson Park (approximately 1.5 miles to the east). Currently marching west.

09/26/2020 at 1745 PDT: Approximately 300 protesters marching in the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House.

09/26/2020 at 1750 PDT: Protesters spray painting City Hall and county courthouse.

09/26/2020 at 1800 PDT: Protesters throwing rocks at Seattle Police vehicles.

09/26/2020 at 1810 PDT: Protesters march east away from the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House. No CBP or FPS deployed outside the buildings.

Final Update:

09/27/20 at 0001 hours PDT:

- FPS gave the stand down order.
  - All protesters in the city have dispersed.
  - CBP Personnel did not deploy at any time.
  - All QRF Personnel ordered stand down.
  - No significant incidents/injuries to report at the Federal facilities.
  - No arrests were made.
  - No change to path forward. CBP will maintain QRF posture.
-

## **Portland, Oregon:**

At 1100 PDT, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau (PPB) and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

### **CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

09/26/2020 at 1300 PDT: Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the (b)(7)(E) Building. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

09/26/2020 at 1320 PDT: Delta Park Portland, Oregon approximately 700 Proud Boys members are staging. Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging. No USBP or FPS are deployed outside the downtown Federal building area.

09/26/2020 at 1523 PDT: Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area. Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area. No USBP or FPS are deployed outside the downtown Federal building area

09/26/2020 at 1740 PDT: Unconfirmed Intel that Antifa/BLM may move to Justice Center to protest at 1900 hours. Proud Boys may counter protest at the Justice Center at 2000 hours. USBP and FPS still staged at the (b)(7)(E) USBP has not left the building. Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).

09/26/2020 at 2050 PDT: Approximately 150 protestors gathered at Lownsdale/Chapman Park Area. Nothing else significant to report. USBP and FPS still staged at the (b)(7)(E) (b)(7)(E) USBP has not left the building.

09/26/2020 at 2122 PDT: Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center. PPB responds and tells protestors to stop throwing objects at police and to clear the streets. Arrests are being made by PPB. Unlawful assembly has been announced by PPB. USBP and FPS remain staged inside the (b)(7)(E) USBP and FPS have not left the building.

09/26/2020 at 2234 PDT: FPS exited the Edith Green Wendell Wyatt Federal building and detained a civilian drone pilot for PPB. The drone pilot will be handed over to PPB for questioning. No USBP exited the building and remain staged at the (b)(7)(E) (b)(7)(E)

09/26/2020 at 2330 PDT: PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park. FPS and USBP remained staged in the (b)(7)(E) (b)(7)(E) No USBP deployed from the (b)(7)(E) (b)(7)(E)

Final Update:

09/27/2020 at 0010 PDT:

- <!--[if !supportLists]--><![endif]-->PPB and Oregon State Police cleared the city parks.
- <!--[if !supportLists]--><![endif]-->FPS gave the stand down order.
- <!--[if !supportLists]--><![endif]-->No arrests or deployments for USBP.

NEXT 24 HOURS:

- <!--[if !supportLists]--><![endif]-->USBP personnel will remain in QRF posture for FPS
- <!--[if !supportLists]--><![endif]-->Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building

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## **Oakland, California:**

The Federal Protective Services' (FPS) Regional Director in San Francisco requested local assistance with a planned protest in the Lake Merritt area of Oakland on September 25, 2020. FPS requested CBP to provide additional tactical support at the (b)(7)(E) (b)(7)(E)

The OFO Special Response Team from the San Francisco Field Office will be supporting FPS with Special Response Team (SRT) operators. Will send any significant updates and a closeout once operations are complete.

### CBP MANPOWER 09/25/2020 CBP Personnel

- <!--[if !supportLists]--><![endif]-->SRT (OFO)

09/25/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) (b)(7)(E) and (b)(7)(E)

09/25/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) and (b)(7)(E) to stage gear.

09/25/2020 at 2130 PDT: Protesters are about 200 in size, passed by the Ronald V. Dellums Federal Building and Federal Courthouse.

09/25/2020 at 2215 PDT: Oakland Police Department reported the crowd dispersing at initial rally point, Lake Merritt Amphitheatre.

09/25/2020 at 2330 PDT: SRT demobilized and departed (b)(7)(E) and (b)(7)(E)

09/26/2020 at 0030 PDT: SRT RTB and all gear and personnel accounted for.

09/26/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) (b)(7)(E) and (b)(7)(E)

09/26/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) and (b)(7)(E) to stage gear. No arrests, no injuries, no use of force incidents, and no critical incidents to report.

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**Chicago, Illinois:**

Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), the Aurora Police Department (APD), and Kane County Sheriff's Department (KCSD) may request (b)(7)(E) helicopter support from the Chicago Air Unit, to assist law enforcement efforts during civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E)  
(b)(7)(E)

09/26/2020 at 2000-0200 CDT: HSI Chicago, CPD, APD, and KCSD may request assistance during civil unrest in the Chicago area.

**U.S. Customs and Border Protection  
Law Enforcement Assistance for Civil Disturbances  
27 September 2020 / 0600 Hours EDT**

**Louisville, Kentucky:**

CBP IC/Tactical Team deployed at 1100 EDT to (b)(7)(E) and (b)(7)(E) (b)(7)(E) FPS requested CBP to provide support due to a planned "Patriot Rally" at 1100 EDT (Approximately 7 miles south of the Federal buildings). No known threats to Federal buildings but FPS/CBP personnel will be on a standby.

Strategic planning and tactical team briefs scheduled at the Kentucky Exposition Center with CBP (SOG, SOD DTM, SOD SDC, OTD, OPR, AMO, PAO) ICE ERO SRT, HSI SRT, Louisville Metro Police Department (LMPD), Kentucky National Guard and FPS team leaders. DHS teams tasked with protecting the (b)(7)(E) and (b)(7)(E) (b)(7)(E)

AMO will support with (b)(7)(E) air assets (b)(7)(E) throughout the operation. (b)(7)(E)

**(b)(7)(E)**

Louisville Metro curfew will be in effect from 2100-0630.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG (Incident Command)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) SOG IU
- (b)(7)(E) AMO
- (b)(7)(E) OS LESC
- (b)(7)(E) OPR
- (b)(7)(E) PAO

09/26/2020 at 1110 hours EDT: CBP personnel are forward deployed to (b)(7)(E) (location of (b)(7)(E) Nothing significant to report.

09/26/2020 at 1708 hours EDT: SOG (b)(7)(E) deployed (b)(7)(E) (b)(7)(E) providing greater situational awareness.

09/26/2020 at 2100 hours EDT: Curfew announcement made at Jefferson Park.

Final Update:

**U.S. Customs and Border Protection**  
**Law Enforcement Assistance for Civil Disturbances**  
**27 September 2020 / 0600 Hours EDT**

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\*\*\*Personnel/Air Asset Correction: (b)(7)(E) with (b)(7)(E) AMO personnel returned to air branch\*\*\*

09/26/2020 at 2205 hours EDT:

- AMO air asset still (b)(7)(E)
- Protesters dispersed throughout the city.
- FPS gave stand down order.
- CBP ground assets did not deploy.
- No significant activity to report.

Path Forward: CBP personnel will continue to support FPS as a QRF.

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**Seattle, Washington:**

At 1300 PDT, September 26, 2020, OFO SRT and Federal Protective Service (FPS) briefed at the Henry M. Jackson Federal Building. FPS and OFO SRT will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) OFO SRT

9/26/20 at 1600 hours PDT: No one is gathered near the US District Court Building, Henry M. Jackson Federal Building, or the William Kenzo Nakamura Court House. There is a small protest of approximately 250 people marching by Cal Anderson Park (approximately 1.5 miles to the east). Currently marching west.

09/26/2020 at 1745 PDT: Approximately 300 protesters marching in the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House.

09/26/2020 at 1750 PDT: Protesters spray painting City Hall and county courthouse.

09/26/2020 at 1800 PDT: Protesters throwing rocks at Seattle Police vehicles.

09/26/2020 at 1810 PDT: Protesters march east away from the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House. No CBP or FPS deployed outside the buildings.

Final Update:

09/27/20 at 0001 hours PDT:

- FPS gave the stand down order.

**U.S. Customs and Border Protection**  
**Law Enforcement Assistance for Civil Disturbances**  
**27 September 2020 / 0600 Hours EDT**

---

- All protesters in the city have dispersed.
  - CBP Personnel did not deploy at any time.
  - All QRF Personnel ordered stand down.
  - No significant incidents/injuries to report at the Federal facilities.
  - No arrests were made.
  - No change to path forward. CBP will maintain QRF posture.
- 

**Portland, Oregon:**

At 1100 PDT, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau (PPB) and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

09/26/2020 at 1300 PDT: Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the (b)(7)(E). There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

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**U.S. Customs and Border Protection**  
**Law Enforcement Assistance for Civil Disturbances**  
**27 September 2020 / 0600 Hours EDT**

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09/26/2020 at 1740 PDT: Unconfirmed Intel that Antifa/BLM may move to Justice Center to protest at 1900 hours. Proud Boys may counter protest at the Justice Center at 2000 hours. USBP and FPS still staged at the (b)(7)(E) USBP has not left the building. Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza).

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09/26/2020 at 2330 PDT: PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park. FPS and USBP remained staged in the (b)(7)(E) (b)(7)(E) No USBP deployed from the (b)(7)(E)

Final Update:

09/27/2020 at 0010 PDT:

- PPB and Oregon State Police cleared the city parks.
- FPS gave the stand down order.
- No arrests or deployments for USBP.

NEXT 24 HOURS:

- USBP personnel will remain in QRF posture for FPS
- Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building

---

**Oakland, California:**

The Federal Protective Services' (FPS) Regional Director in San Francisco requested local assistance with a planned protest in the Lake Merritt area of Oakland on September 25, 2020. FPS requested CBP to provide additional tactical support at the (b)(7)(E)

(b)(7)(E)



**U.S. Customs and Border Protection**  
**Law Enforcement Assistance for Civil Disturbances**  
**27 September 2020 / 0600 Hours EDT**

---

The OFO Special Response Team from the San Francisco Field Office will be supporting FPS with Special Response Team (SRT) operators. Will send any significant updates and a closeout once operations are complete.

CBP MANPOWER 09/25/20 [REDACTED] CBP Personnel

- [REDACTED] SRT (OFO)

09/25/2020 at 1630 PDT: RT personnel are forward deployed to [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E)

09/25/2020 at 1720 PDT: SRT arrived at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) to stage gear.

09/25/2020 at 2130 PDT: Protesters are about 200 in size, passed by the Ronald V. Dellums Federal Building and Federal Courthouse.

09/25/2020 at 2215 PDT: Oakland Police Department reported the crowd dispersing at initial rally point, Lake Merritt Amphitheatre.

09/25/2020 at 2330 PDT: SRT demobilized and departed [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E)

09/26/2020 at 0030 PDT: SRT RTB and all gear and personnel accounted for.

09/26/2020 at 1630 PDT: RT personnel are forward deployed to [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E)

09/26/2020 at 1720 PDT: SRT arrived at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) to stage gear. No arrests, no injuries, no use of force incidents, and no critical incidents to report.

---

**Chicago, Illinois:**

Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), the Aurora Police Department (APD), and Kane County Sheriff's Department (KCSD) may request [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) helicopter support from the Chicago Air Unit, to assist law enforcement efforts during civil unrest in Chicago, Aurora, and surrounding areas. [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

09/26/2020 at 2000-0200 CDT: HSI Chicago, CPD, APD, and KCSD may request assistance during civil unrest in the Chicago area.



Message

**From:** SITROOM (b)(7)(E)  
(b)(7)(E)

**Sent:** 9/28/2020 2:12:13 AM

**To:** NOC.SWO.Restricted (b)(7)(E)  
**(b)(6), (b)(7)(C), (b)(7)(E)**

**CC:** MORGAN, MARK A (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) PEREZ, ROBERT E  
**(b)(6), (b)(7)(C)** SEGUIN, DEBBIE W  
; SCHORR, STEPHEN  
**(b)(6), (b)(7)(C)** SCOTT, RODNEY S  
; ORTIZ, RAUL E  
; PORVAZNIK, ANTHONY  
**(b)(6), (b)(7)(C)** YOUNG, EDWARD E  
; BOYER, STEPHEN A  
**(b)(6), (b)(7)(C)** MICHELINI, DENNIS J  
FERRARA, WILLIAM  
**(b)(6), (b)(7)(C)** ORTIZ, RAUL L  
SABATINO, DIANE J  
BOYER, STEPHEN A  
**(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)** FORET, VERNON T  
**(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)** SMITH, BRENDA  
(b)(6), (b)(7)(C) WHITTENBURG,  
CYNTHIA F (DEAC OT) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) LEONARD, JOHN P  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) HUFFMAN,  
BENJAMINE C (b)(6), (b)(7)(C)  
; GRABLE, SAMUEL D  
; CUSTER, CORY J  
**(b)(6), (b)(7)(C)**  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) PORVAZNIK,

ANTHONY J

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

FLORES, PETE

ROMERO

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

JACKSTA, LINDA L

COLLINS, JAMES L.

OCKER, RONALD J

**(b)(6), (b)(7)(C)**

(b)(7)(E)

WATCH CBP INTEL

(b)(7)(E)

CBP HQ EOC

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C)	LEOD-OPS-CELL
(b)(7)(E)	Ops ACC Distro
(b)(6), (b)(7)(C), (b)(7)(E)	
(b)(6), (b)(7)(C)	HEITKE, AARON M
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	OPS SPECIAL
OPERATIONS: (b)(7)(E)	
(b)(7)(E)	SOG EOC
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>	
(b)(6), (b)(7)(C)	CBP SITROOM- SWOS
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>	
(b)(6), (b)(7)(C)	SITROOM
(b)(7)(E)	

**Subject:** CBP RESPONSE: DHS Force Actions for Civil Disturbances - 9/27/2020 2200

**Attachments:** 27SEPT2020 2200 CBP LE Support to Civil Disturbances.docx

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY//LAW ENFORCEMENT SENSITIVE~~

*U.S. Customs and Border Protection*

*Law Enforcement Assistance for Civil Disturbances*

*27 September 2020 / 2200 Hours EDT*

**Louisville, Kentucky:**

Louisville Metro Police Department (LMPD) notified the ATF and advised that subject, (b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(7)(E) No injuries were reported to CBP personnel, no destruction to personal property and no reportable use of force incidents were reported during this operation.

CBP operational components (SOG, SOD DTM, SOD SDC, OS LESC, OPR, AMO, PAO) attended strategic planning and tactical team briefings scheduled at the Kentucky Exposition Center with ICE ERO SRT, HSI SRT, LMPD, Kentucky National Guard and FPS team leaders. FPS leadership briefed the importance of federal agencies serving as a deterrence to violent opportunists in the Louisville Metro area. Additionally, the local, state and federal agencies expressed gratitude. Tentatively, FPS will begin their demobilization process (b)(7)(E) personnel FPS team will remain in place) along with tactical teams, who will also begin their demobilization process. The U.S. National Guard will also reduce their footprint.

AMO will support with (b)(7)(E) air assets (b)(7)(E) on standby status tonight.

**CBP MANPOWER 09/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG (Incident Command)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) SOG IU
- (b)(7)(E) AMO
- (b)(7)(E) OS LESC
- (b)(7)(E) OPR
- (b)(7)(E) PAO

CBP IC/Tactical Team deployed at 1100 EDT to (b)(7)(E) and (b)(7)(E) (b)(7)(E) FPS requested CBP to provide support due to a planned "Patriot Rally" at 1100 EDT (Approximately 7 miles south of the Federal buildings). No known threats to Federal buildings but FPS/CBP personnel will be on a standby.

Strategic planning and tactical team briefs scheduled at the Kentucky Exposition Center with CBP (SOG, SOD DTM, SOD SDC, OS, OPR, AMO, PAO) ICE ERO SRT, HSI SRT, LMPD, Kentucky National Guard and FPS team leaders. DHS teams tasked with protecting the (b)(7)(E) (b)(7)(E) and (b)(7)(E)

AMO will support with (b)(7)(E) air assets (b)(7)(E) throughout the operation. AMO plans on providing coverage (b)(7)(E)

(b)(7)(E)

Louisville Metro curfew will be in effect from 2100-0630.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG (Incident Command)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) DTM BTC

- [REDACTED] DTM BST
- [REDACTED] SOG IU
- [REDACTED] AMO
- [REDACTED] OS LESC
- [REDACTED] OPR
- [REDACTED] PAO

09/26/2020 at 1110 hours EDT: CBP personnel are forward deployed to [REDACTED] (b)(7)(E) (location of [REDACTED] (b)(7)(E)). Nothing significant to report.

09/26/2020 at 1708 hours EDT: SOG [REDACTED] (b)(7)(E) deployed [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) providing greater situational awareness.

09/26/2020 at 2100 hours EDT: Curfew announcement made at Jefferson Park.

Final Update:

\*\*\*Personnel/Air Asset Correction: [REDACTED] (b)(7)(E) with [REDACTED] AMO personnel returned to air branch\*\*\*

09/26/2020 at 2205 hours EDT:

- AMO air asset still [REDACTED] (b)(7)(E)
- Protesters dispersed throughout the city.
- FPS gave stand down order.
- CBP ground assets did not deploy.
- No significant activity to report.

Path Forward: CBP personnel will continue to support FPS as a QRF.

## Seattle, Washington:

### CBP Seattle Team Sit Rep 09/27/2020 to 09/28/2020:

At 1300 PST, September 27, 2020, OFO SRT and FPS briefed at the Henry M. Jackson Federal building. FPS and OFO SRT will be deployed at the [REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E). Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action will only take place as requested by FPS in response to major felonies occurring, including attempts to breach the Federal buildings/ courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

### CBP MANPOWER 09/27/20: [REDACTED] CBP Personnel

- [REDACTED] OFO SRT

9/27/20 at 1445 hours PDT: No one has gathered near the U.S. District Court Building, Henry M. Jackson Federal building, or the William Kenzo Nakamura Court House. There is an ongoing "MELT ICE" protest at

Occidental Square which is approximately 5 blocks southwest of the Henry M. Jackson Federal building. There are 50 protesters that have currently gathered in the Occidental Square.

Update 1:

- 09/27/20 at 1545 hours PDT: Approximately 100 protesters from the "MELT ICE" rally marched from Occidental Square towards the Henry M. Jackson Federal building. The Seattle Police Department (SPD) shadowed the protesters with a contingent of bike patrol officers.
- 09/27/20 at 1610 hours PDT: Approximately 100 protesters arrived at the Henry M. Jackson Federal building. SPD bike patrol was also on scene. Protesters stayed near the federal building for 15 minutes and continued to march. No damage done to the federal building.
- 09/27/20 at 1700 hours PDT: Protesters have dispersed.

At 1300 PDT, September 26, 2020, OFO SRT and Federal Protective Service (FPS) briefed at the Henry M. Jackson Federal Building. FPS and OFO SRT will be deployed (b)(7)(E) (b)(7)(E) and the (b)(7)(E) Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

#### **CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) OFO SRT

9/26/20 at 1600 hours PDT: No one is gathered near the US District Court Building, Henry M. Jackson Federal Building, or the William Kenzo Nakamura Court House. There is a small protest of approximately 250 people marching by Cal Anderson Park (approximately 1.5 miles to the east). Currently marching west.

09/26/2020 at 1745 PDT: Approximately 300 protesters marching in the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House.

09/26/2020 at 1750 PDT: Protesters spray painting City Hall and county courthouse.

09/26/2020 at 1800 PDT: Protesters throwing rocks at Seattle Police vehicles.

09/26/2020 at 1810 PDT: Protesters march east away from the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House. No CBP or FPS deployed outside the buildings.

Final Update:

09/27/20 at 0001 hours PDT:

- FPS gave the stand down order.
- All protesters in the city have dispersed.
- CBP Personnel did not deploy at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.



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**Portland, Oregon:**

**CBP Portland Team Sit Rep 09/27/2020 to 09/28/2020:**

At 1200 PDT, September 27, 2020, USBP BLAINE SOD began shift at the (b)(7)(E) (b)(7)(E) with FPS.

At 1700 PST, YUMA SOD, SAN DIEGO SOD, and SOG BTC (IC) arrived for daily briefing at the Edith Green Wendell Wyatt Federal building. FPS and USBP personnel will be deployed at the (b)(7)(E) (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP agents will conduct QRF duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

There is currently no one gathered in the city or federal parks near the Federal buildings and during the brief was declared that there is no Intel at this point of protests planned near the downtown area.

**CBP MANPOWER 09/27/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

At 1100 PDT, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau (PPB) and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD

- [REDACTED] YUM SOD
- [REDACTED] BLW SOD

09/26/2020 at 1300 PDT: Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the [REDACTED] (b)(7)(E) There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

09/26/2020 at 1320 PDT: Delta Park Portland, Oregon approximately 700 Proud Boys members are staging. Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging. No USBP or FPS are deployed outside the downtown Federal building area.

09/26/2020 at 1523 PDT: Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area. Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area. No USBP or FPS are deployed outside the downtown Federal building area

09/26/2020 at 1740 PDT: Unconfirmed Intel that Antifa/BLM may move to Justice Center to protest at 1900 hours. Proud Boys may counter protest at the Justice Center at 2000 hours. USBP and FPS still staged at the [REDACTED] (b)(7)(E) USBP has not left the building. Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).

09/26/2020 at 2050 PDT: Approximately 150 protestors gathered at Lownsdale/Chapman Park Area. Nothing else significant to report. USBP and FPS still staged at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) USBP has not left the building.

09/26/2020 at 2122 PDT: Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center. PPB responds and tells protestors to stop throwing objects at police and to clear the streets. Arrests are being made by PPB. Unlawful assembly has been announced by PPB. USBP and FPS remain staged inside the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) USBP and FPS have not left the building.

09/26/2020 at 2234 PDT: FPS exited the Edith Green Wendell Wyatt Federal building and detained a civilian drone pilot for PPB. The drone pilot will be handed over to PPB for questioning. No USBP exited the building and remain staged at the [REDACTED] (b)(7)(E)

09/26/2020 at 2330 PDT: PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park. FPS and USBP remained staged in the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

Final Update:

09/27/2020 at 0010 PDT:

- PPB and Oregon State Police cleared the city parks.
- FPS gave the stand down order.
- No arrests or deployments for USBP.

NEXT 24 HOURS:

- USBP personnel will remain in QRF posture for FPS
- Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building

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### Oakland, California:

The Federal Protective Services' (FPS) Regional Director in San Francisco requested local assistance with a planned protest in the Lake Merritt area of Oakland on September 25 2020. FPS requested CBP to provide additional tactical support at the (b)(7)(E)

The OFO Special Response Team from the San Francisco Field Office will be supporting FPS with Special Response Team (SRT) operators. Will send any significant updates and a closeout once operations are complete.

#### CBP MANPOWER 09/25/20: CBP Personnel

- SRT (OFO)

09/25/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) and (b)(7)(E)

09/25/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) and (b)(7)(E) to stage gear.

09/25/2020 at 2130 PDT: Protesters are about 200 in size, passed by the Ronald V. Dellums Federal Building and Federal Courthouse.

09/25/2020 at 2215 PDT: Oakland Police Department reported the crowd dispersing at initial rally point, Lake Merritt Amphitheatre.

09/25/2020 at 2330 PDT: SRT demobilized and departed (b)(7)(E) and (b)(7)(E)

09/26/2020 at 0030 PDT: SRT RTB and all gear and personnel accounted for.

09/26/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) and (b)(7)(E)

09/26/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) and (b)(7)(E) to stage gear. No arrests, no injuries, no use of force incidents, and no critical incidents to report.

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### Chicago, Illinois:

Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), the Aurora Police Department (APD), and Kane County Sheriff's Department (KCSO) may request (b)(7)(E) support from the Chicago Air Unit, to assist law enforcement efforts during civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E)

(b)(7)(E)

09/26/2020 at 2000-0200 CDT: HSI Chicago, CPD, APD, and KCSD may request assistance during civil unrest in the Chicago area.

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**Louisville, Kentucky:**

Louisville Metro Police Department (LMPD) notified the ATF and advised that subject, (b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(7)(E) No injuries were reported to CBP personnel, no destruction to personal property and no reportable use of force incidents were reported during this operation.

CBP operational components (SOG, SOD DTM, SOD SDC, OS LESC, OPR, AMO, PAO) attended strategic planning and tactical team briefings scheduled at the Kentucky Exposition Center with ICE ERO SRT, HSI SRT, LMPD, Kentucky National Guard and FPS team leaders. FPS leadership briefed the importance of federal agencies serving as a deterrence to violent opportunists in the Louisville Metro area. Additionally, the local, state and federal agencies expressed gratitude. Tentatively, FPS will begin their demobilization process (personnel FPS team will remain in place) along with tactical teams, who will also begin their demobilization process. The U.S. National Guard will also reduce their footprint.

AMO will support with (b)(7)(E) air assets (b)(7)(E) on standby status tonight.

**CBP MANPOWER 09/27/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SOG (Incident Command)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) SOG IU
- (b)(7)(E) AMO
- (b)(7)(E) OS LESC
- (b)(7)(E) OPR
- (b)(7)(E) PAO

CBP IC/Tactical Team deployed at 1100 EDT to (b)(7)(E) and (b)(7)(E) (b)(7)(E) FPS requested CBP to provide support due to a planned "Patriot Rally" at 1100 EDT (Approximately 7 miles south of the Federal buildings). No known threats to Federal buildings but FPS/CBP personnel will be on a standby.

Strategic planning and tactical team briefs scheduled at the Kentucky Exposition Center with CBP (SOG, SOD DTM, SOD SDC, OS, OPR, AMO, PAO) ICE ERO SRT, HSI SRT, LMPD, Kentucky National Guard and FPS team leaders. DHS teams tasked with protecting the (b)(7)(E)

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(b)(7)(E) and (b)(7)(E)  
(b)(7)(E)

AMO will support with (b)(7)(E) air assets (b)(7)(E) on station throughout the operation. AMO plans on providing coverage (b)(7)(E)

**(b)(7)(E)**

Louisville Metro curfew will be in effect from 2100-0630.

**CBP MANPOWER 09/26/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG (Incident Command)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SDC BTC
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) SOG IU
- (b)(7)(E) AMO
- (b)(7)(E) OS LESC
- (b)(7)(E) OPR
- (b)(7)(E) PAO

09/26/2020 at 1110 hours EDT: CBP personnel are forward deployed to (b)(7)(E) (location of (b)(7)(E)). Nothing significant to report.

09/26/2020 at 1708 hours EDT: SOG (b)(7)(E) deployed (b)(7)(E) (b)(7)(E) providing greater situational awareness.

09/26/2020 at 2100 hours EDT: Curfew announcement made at Jefferson Park.

Final Update:

\*\*\*Personnel/Air Asset Correction: (b)(7)(E) with (b)(7)(E) AMO personnel returned to air branch\*\*\*

09/26/2020 at 2205 hours EDT:

- AMO air asset still (b)(7)(E)
- Protesters dispersed throughout the city.
- FPS gave stand down order.

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- CBP ground assets did not deploy.
- No significant activity to report.

Path Forward: CBP personnel will continue to support FPS as a QRF.

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**Seattle, Washington:**

**CBP Seattle Team Sit Rep 09/27/2020 to 09/28/2020:**

At 1300 PST, September 27, 2020, OFO SRT and FPS briefed at the Henry M. Jackson Federal building. FPS and OFO SRT will be deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E). Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action will only take place as requested by FPS in response to major felonies occurring, including attempts to breach the Federal buildings/ courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 09/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) OFO SRT

9/27/20 at 1445 hours PDT: No one has gathered near the U.S. District Court Building, Henry M. Jackson Federal building, or the William Kenzo Nakamura Court House. There is an ongoing "MELT ICE" protest at Occidental Square which is approximately 5 blocks southwest of the Henry M. Jackson Federal building. There are 50 protesters that have currently gathered in the Occidental Square.

Update 1:

- 09/27/20 at 1545 hours PDT: Approximately 100 protesters from the "MELT ICE" rally marched from Occidental Square towards the Henry M. Jackson Federal building. The Seattle Police Department (SPD) shadowed the protesters with a contingent of bike patrol officers.
- 09/27/20 at 1610 hours PDT: Approximately 100 protesters arrived at the Henry M. Jackson Federal building. SPD bike patrol was also on scene. Protesters stayed near the federal building for 15 minutes and continued to march. No damage done to the federal building.
- 09/27/20 at 1700 hours PDT: Protesters have dispersed.

At 1300 PDT, September 26, 2020, OFO SRT and Federal Protective Service (FPS) briefed at the Henry M. Jackson Federal Building. FPS and OFO SRT will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E). Minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the

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egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

**CBP MANPOWER 09/26/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) OFO SRT

9/26/20 at 1600 hours PDT: No one is gathered near the US District Court Building, Henry M. Jackson Federal Building, or the William Kenzo Nakamura Court House. There is a small protest of approximately 250 people marching by Cal Anderson Park (approximately 1.5 miles to the east). Currently marching west.

09/26/2020 at 1745 PDT: Approximately 300 protesters marching in the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House.

09/26/2020 at 1750 PDT: Protesters spray painting City Hall and county courthouse.

09/26/2020 at 1800 PDT: Protesters throwing rocks at Seattle Police vehicles.

09/26/2020 at 1810 PDT: Protesters march east away from the vicinity of Henry M. Jackson Federal building and the William Kenzo Nakamura Court House. No CBP or FPS deployed outside the buildings.

Final Update:

09/27/20 at 0001 hours PDT:

- FPS gave the stand down order.
- All protesters in the city have dispersed.
- CBP Personnel did not deploy at any time.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests were made.
- No change to path forward. CBP will maintain QRF posture.

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**Portland, Oregon:**

**CBP Portland Team Sit Rep 09/27/2020 to 09/28/2020:**

At 1200 PDT, September 27, 2020, USBP BLAINE SOD began shift at the (b)(7)(E)  
(b)(7)(E) with FPS.

At 1700 PST, YUMA SOD, SAN DIEGO SOD, and SOG BTC (IC) arrived for daily briefing at the Edith Green Wendell Wyatt Federal building. FPS and USBP personnel will be deployed at the (b)(7)(E)



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(b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP agents will conduct QRF duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

There is currently no one gathered in the city or federal parks near the Federal buildings and during the brief was declared that there is no Intel at this point of protests planned near the downtown area.

**CBP MANPOWER 09/27/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

At 1100 PDT, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau (PPB) and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

**CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

09/26/2020 at 1300 PDT: Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the (b)(7)(E). There is currently no one

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gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

09/26/2020 at 1320 PDT: Delta Park Portland, Oregon approximately 700 Proud Boys members are staging. Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging. No USBP or FPS are deployed outside the downtown Federal building area.

09/26/2020 at 1523 PDT: Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area. Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area. No USBP or FPS are deployed outside the downtown Federal building area

09/26/2020 at 1740 PDT: Unconfirmed Intel that Antifa/BLM may move to Justice Center to protest at 1900 hours. Proud Boys may counter protest at the Justice Center at 2000 hours. USBP and FPS still staged at the (b)(7)(E) USBP has not left the building. Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza).

09/26/2020 at 2050 PDT: Approximately 150 protestors gathered at Lownsdale/Chapman Park Area. Nothing else significant to report. USBP and FPS still staged at the (b)(7)(E)

(b)(7)(E) USBP has not left the building.

09/26/2020 at 2122 PDT: Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center. PPB responds and tells protestors to stop throwing objects at police and to clear the streets. Arrests are being made by PPB. Unlawful assembly has been announced by PPB. USBP and FPS remain staged inside the (b)(7)(E) (b)(7)(E) USBP and FPS have not left the building.

09/26/2020 at 2234 PDT: FPS exited the Edith Green Wendell Wyatt Federal building and detained a civilian drone pilot for PPB. The drone pilot will be handed over to PPB for questioning. No USBP exited the building and remain staged at the (b)(7)(E)

09/26/2020 at 2330 PDT: PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park. FPS and USBP remained staged in the (b)(7)(E) (b)(7)(E)

Final Update:

09/27/2020 at 0010 PDT:

- PPB and Oregon State Police cleared the city parks.
- FPS gave the stand down order.
- No arrests or deployments for USBP.

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NEXT 24 HOURS:

- USBP personnel will remain in QRF posture for FPS
  - Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building
- 

**Oakland, California:**

The Federal Protective Services' (FPS) Regional Director in San Francisco requested local assistance with a planned protest in the Lake Merritt area of Oakland on September 25 2020. FPS requested CBP to provide additional tactical support at the: (b)(7)(E)  
(b)(7)(E)

The OFO Special Response Team from the San Francisco Field Office will be supporting FPS with Special Response Team (SRT) operators. Will send any significant updates and a closeout once operations are complete.

CBP MANPOWER 09/25/20: (b)(7)(E) CBP Personnel

- (b)(7)(E) SRT (OFO)

09/25/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) and (b)(7)(E)

09/25/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) and (b)(7)(E) to stage gear.

09/25/2020 at 2130 PDT: Protesters are about 200 in size, passed by the Ronald V. Dellums Federal Building and Federal Courthouse.

09/25/2020 at 2215 PDT: Oakland Police Department reported the crowd dispersing at initial rally point, Lake Merritt Amphitheatre.

09/25/2020 at 2330 PDT: SRT demobilized and departed (b)(7)(E) and (b)(7)(E)

09/26/2020 at 0030 PDT: SRT RTB and all gear and personnel accounted for.

09/26/2020 at 1630 PDT: RT personnel are forward deployed to (b)(7)(E) and (b)(7)(E)

09/26/2020 at 1720 PDT: SRT arrived at the (b)(7)(E) and (b)(7)(E) to stage gear. No arrests, no injuries, no use of force incidents, and no critical incidents to report.

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**Chicago, Illinois:**

Homeland Security Investigations (HSI) Chicago, the Chicago Police Department (CPD), the Aurora Police Department (APD), and Kane County Sheriff's Department (KCSD) may request (b)(7)(E) (b)(7)(E) support from the Chicago Air Unit, to assist law enforcement efforts during civil unrest in Chicago, Aurora, and surrounding areas. (b)(7)(E) (b)(7)(E)

09/26/2020 at 2000-0200 CDT: HSI Chicago, CPD, APD, and KCSD may request assistance during civil unrest in the Chicago area.

Message

From: SITROOM (b)(7)(E)  
(b)(7)(E)

Sent: 8/3/2020 12:59:55 PM

To: AMOC WATCH (b)(7)(E)  
(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C) BOYER, STEPHEN A  
(b)(6), (b)(7)(C) BP INTEL FIELD PAICs-  
DPAICs (b)(7)(E)  
(b)(7)(E) BPHQG2

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C) CBP HQ EOC EOC  
Director: (b)(7)(E)  
(b)(7)(E) CBP SITROOM- SWOS

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C) COLLINS, JAMES L.  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) CUSTER, CORY J

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C) (CTR)  
(b)(6), (b)(7)(C) FERRARA, WILLIAM  
(b)(6), (b)(7)(C) FORET, VERNON T  
FPS IMC

**(b)(6), (b)(7)(C), (b)(7)(E)**

(b)(6), (b)(7)(C) JACKSTA, LINDA L

**(b)(6), (b)(7)(C)**

(OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (CTR)

(b)(6), (b)(7)(C)	LANDRUM, RYAN P
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	MANDRYCK, JAMES R MICHELINI, DENNIS J
(b)(6), (b)(7)(C)	
(CTR) (b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	MORGAN, MARK A
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	'NOC.NDD'
(b)(6) NOC.SWO.Restricted (b)(6)	
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	ORTIZ, RAUL L
(b)(6), (b)(7)(C)	Owen, Todd C (EAC)
(OFO) (b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	; PEREZ, ROBERT E Phillips, Shawn
(b)(6)	PORVAZNIK, ANTHONY J
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	SABATINO, DIANE J
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	SCOTT, RODNEY S
(b)(6), (b)(7)(C)	SCUDDER, KATHLEEN
(b)(6), (b)(7)(C)	SABATINO, DIANE J
(b)(6), (b)(7)(C)	SEGUIN, DEBBIE W
(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	USBP-NTC Managers
(b)(6), (b)(7)(C), (b)(7)(E)	

(b)(6), (b)(7)(C)

WATCH CBP INTEL

(b)(7)(E)

YOUNG, EDWARD E

(b)(6), (b)(7)(C)

CC: SITROOM (b)(7)(E)

(b)(7)(E)

Subject: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 03 Aug 2020  
1000 hours

Attachments: 03Aug2020 4th of July Support .docx

Good Morning:

Please see the attached CBP Law Enforcement Support report for August 03, 2020. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP law enforcement officers (LEOs) reported to Portland, Oregon for the 31st night of law enforcement support. (b)(7)(E) Office of Public Affairs (OPA) personnel was also on site. Oregon State Police (OSP) has deployed (b)(7)(E) State Troopers as the lead agency to secure the area in and around the courthouse property. CBP LEOs are staged nearby for Quick Reaction Force (QRF). Air and Marine Operations provided aerial surveillance with one of two planned flights. The second flight was cancelled. Approximately 200 protestors gathered tonight at the height. There were no reported assaults on CBP employees tonight.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

CBP LEOs will report to Portland tonight for the 32<sup>nd</sup> night of law enforcement support.

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG HQ (Support)

AMO has (b)(7)(E) schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. (b)(7)(E)

(b)(7)(E)

**CBP MANPOWER 08/02/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture at three locations. (b)(7)(E) agents at the (b)(7)(E) (b)(7)(E) agents at the (b)(7)(E) (approximately (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

(b)(6), (b)(7)(C)

NREMT

Chief - Senior Watch Officer  
HQ - Washington, DC



Desk: (b)(6), (b)(7)(C)

Mobile: (b)(6), (b)(7)(C)

JWICS: (b)(6), (b)(7)(C)

UNCLASS: (b)(6), (b)(7)(C)



U.S. Customs and  
Border Protection



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** (b)(7)(E) CBP law enforcement officers (LEOs) reported to Portland, Oregon for the 31<sup>st</sup> night of law enforcement support. (b)(7)(E) Office of Public Affairs (OPA) personnel was also on site. Oregon State Police (OSP) has deployed (b)(7)(E) State Troopers as the lead agency to secure the area in and around the courthouse property. CBP LEOs are staged nearby for Quick Reaction Force (QRF). Air and Marine Operations provided aerial surveillance with one of two planned flights. The second flight was cancelled. Approximately 200 protestors gathered tonight at the height. There were no reported assaults on CBP employees tonight.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

CBP LEOs will report to Portland tonight for the 32<sup>nd</sup> night of law enforcement support.

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ	San Juan			
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (b)(7)(E) PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (b)(7)(E) PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (b)(7)(E) PAX): OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE , USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (b)(7)(E) PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** (b)(7)(E): LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Settle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E)
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. **USCG**
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

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0005

- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

Office: CBP SITROOM- Senior Watch Officer

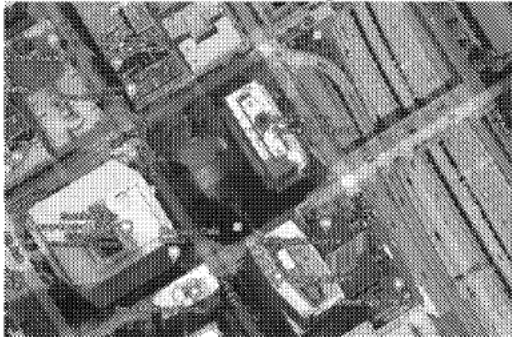
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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
 (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
 (b)(7)(E)
  - OFO SRT received (b)(7)(E)  
 (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

Office: CBP SITROOM- Senior Watch Officer

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

Office: CBP SITROOM- Senior Watch Officer

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

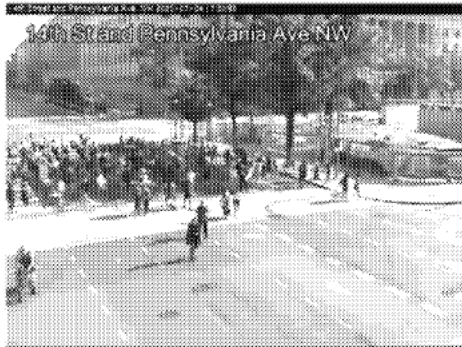
2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

#### National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

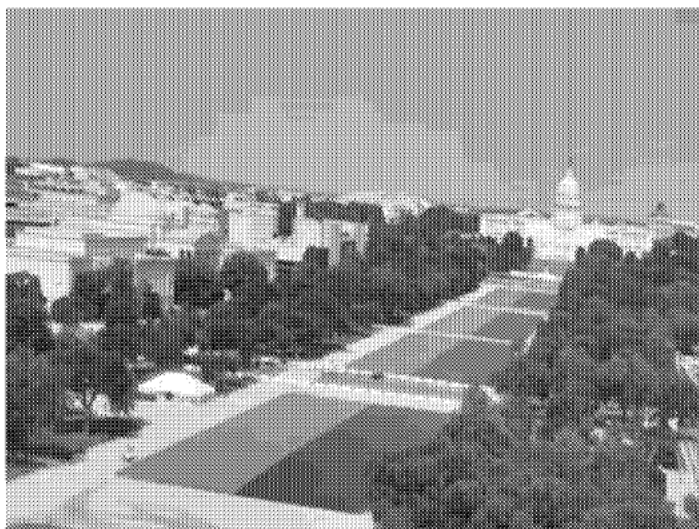
14th Street and Pennsylvania Ave. N.W.



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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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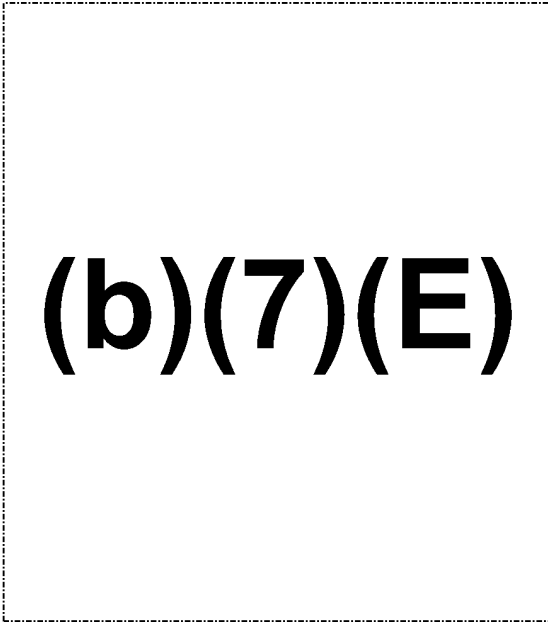
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [redacted] SOG personnel [redacted] (b)(7)(E) landed via AMO [redacted] (b)(7)(E)
- 1145 hours PDT: [redacted] SOG personnel have linked up with SOG Portland team [redacted] (b)(7)(E) for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [redacted] (b)(7)(E) total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they are (b)(7)(E)  
(b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) back towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E). The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E).

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) agents to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG ([REDACTED])
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] and [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG ([REDACTED])
- [REDACTED] USBP HQ
- [REDACTED] OFO SRT
- [REDACTED] SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO: (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset (b)(7)(E)  
(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

#### CBP MANPOWER 7/24/20: CBP Personnel

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

- CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**
- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
  - (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
  - (b)(7)(E) SOG (Command and Control)
  - (b)(7)(E) SOG (b)(7)(E)
  - (b)(7)(E) USBP HQ
  - (b)(7)(E) CBP OPA
  - (b)(7)(E) OFO SRT
  - (b)(7)(E) CBP OPR
  - (b)(7)(E) CBP OTD

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- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20:** [REDACTED] **CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD ([REDACTED] PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group ([REDACTED] PAX): Command and Control for CBP operations
- USBP HQ ([REDACTED] PAX): Liaison coordination
- OFO/SRT ([REDACTED] PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD ([REDACTED] PAX): [REDACTED] CBP YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) [REDACTED] and [REDACTED] (b)(7)(E) [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset (b)(7)(E)  
 (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal (b)(7)(E) agents were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)  
(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (BORTAC, BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (BORTAC, BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)  
(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- [REDACTED] TCA MRT arrived.

AMO plans to have [REDACTED] coverage throughout the night from 2200-0300 tonight. [REDACTED]

**CBP MANPOWER 7/27/20: [REDACTED] CBP Personnel**

- [REDACTED] YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR [REDACTED] Agents [REDACTED]
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG Support Personnel
- [REDACTED] EPT BTC
- [REDACTED] BLW SOD
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] EPT CIT
- [REDACTED] ELC CIT
- [REDACTED] AMO
- [REDACTED] TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness [REDACTED].

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and [ (b)(7)(E) ] to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and [ (b)(7)(E) ] were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [REDACTED] (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [REDACTED] (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- [REDACTED] SOG BTC
- [REDACTED] EPT SOD
- [REDACTED] DRT SOD
- [REDACTED] SDC MRT
- [REDACTED] AMO

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AMO plans to have: (b)(7)(E) coverage throughout the night from 2200-0300 tonight: (b)(7)(E)

**CBP MANPOWER 7/29/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately (b)(7)(E)  
(b)(7)(E)

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/(b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/(b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)

(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lownsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

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**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Office (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 03, 2020, 1000hrs

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with (b)(7)(E) SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and (b)(7)(E) (b)(7)(E) during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct (b)(7)(E) flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:** (b)(7)(E)

**Individual Roles/Participants:**

1.  CDO
2.  (b)(7)(E)
3.  (b)(7)(E)
4.  AMCIT
5.  (b)(7)(E) flight crews:
6.  (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:**  (b)(7)(E) helicopters for airborne (b)(7)(E) and aviation liaison (CDO).

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. (b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

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**CBP Is Standing By And Ready To Support**  
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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: [REDACTED] Agents at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) [REDACTED] Agents at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) with an (b)(7)(E) response time), and [REDACTED] CBP Personnel at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/01/2020 at 1939 hours PST: [REDACTED] reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

Office: CBP SITROOM- Senior Watch Officer  
Updated: August 03, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**CBP Portland Team Sit Rep 08/02/2020 to 08/03/2020:**

At 1700 PST, August 2, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to

Office: CBP SITROOM- Senior Watch Officer

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barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] SOG HQ (Support)

AMO has [REDACTED] schedule flights at 2200- 0030 hours PST and 2400- 0230 hours PST. [REDACTED] (b)(7)(E)  
 [REDACTED] (b)(7)(E)

**CBP MANPOWER 08/02/20: [REDACTED] CBP Personnel**

- [REDACTED] SOG HQ
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG IU
- [REDACTED] YUM SOD
- [REDACTED] YUM HQ
- [REDACTED] YUM IU
- [REDACTED] DRT SOD
- [REDACTED] DRT IU
- [REDACTED] SDC SOD
- [REDACTED] OFO SRT
- [REDACTED] OPR
- [REDACTED] OPA
- [REDACTED] OI
- [REDACTED] AMO
- [REDACTED] TUC MRT
- [REDACTED] SDC MRT
- [REDACTED] EPT SOD
- [REDACTED] EPT IU

CBP Personnel are staged in a QRF posture at three locations. [REDACTED] agents at the [REDACTED] (b)(7)(E)  
 [REDACTED] (b)(7)(E) [REDACTED] agents at the [REDACTED] (b)(7)(E) [REDACTED] (approximately [REDACTED])  
 [REDACTED] (b)(7)(E) with an [REDACTED] (b)(7)(E) response time), and [REDACTED] CBP personnel at the [REDACTED] (b)(7)(E) [REDACTED] (approximately  
 [REDACTED] (b)(7)(E) with a [REDACTED] (b)(7)(E) response).

08/02/2020 at 1900 hours PST: OSP has designated [REDACTED] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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**CBP Is Standing By And Ready To Support  
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08/02/2020 at 2103 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse. No illicit activity at the moment.

08/02/2020 at 2227 hours PST: OSP reports approximately 80 protesters by the Hatfield Courthouse.

08/02/2020 at 2323 hours PST: OSP reports approximately 150- 200 protesters near the corner of 3<sup>rd</sup> St. /Salmon St.

08/02/2020 at 2351 hours PST: AMO reports the scheduled flight at 2400 hours has been cancelled.

08/03/2020 at 0126 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: August 03, 2020, 1000hrs



Message

**From:** YOUNG, EDWARD E (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Sent:** 8/1/2020 12:27:04 PM  
**To:** MICHELINI, DENNIS J (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**CC:** BOYER, STEPHEN A (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Fwd: 01 August 2020 1000 hours report CBP RESPONSE: (U//LES)-OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
**Attachments:** 01Aug2020 1000 4th of July Support\_.docx; ATT00001.htm

Dennis,

Could you have someone ask (b)(6), (b)(7)(C) or Diane if they could get our name right. AMO should be Air and Marine a Operations, not Air and Marine Office.

Edward E. Young  
Executive Assistant Commissioner  
CBP Air and Marine Operations  
Desk: (b)(6), (b)(7)(C)  
Mobile: (b)(6), (b)(7)(C)

Sent from my iPhone

Begin forwarded message:

**From:** SITROOM (b)(7)(E)  
**Date:** August 1, 2020 at 06:43:10 EDT  
**To:** "SABATINO, DIANE J" (b)(6), (b)(7)(C) AMOC WATCH  
(b)(6), (b)(7)(C), (b)(7)(E) "BOYER, STEPHEN A"  
(b)(6), (b)(7)(C) BP INTEL FIELD PAICs-DPAICs (b)(7)(E)  
(b)(7)(E) BPHQG2 (b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C)  
CBP HQ EOC EOC Director (b)(7)(E) CBP SITROOM- SWOS  
(b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C) "COLLINS, JAMES L."  
(b)(6), (b)(7)(C) "CUSTER, CORY J" (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "FERRARA, WILLIAM"  
(b)(6), (b)(7)(C) "FORET, VERNON T"  
(b)(6), (b)(7)(C) FPS IMC (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
"JACKSTA, LINDA L" (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC)" (b)(6), (b)(7)(C)  
(CTR)" (b)(6), (b)(7)(C) "LANDRUM, RYAN P"  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "MANDRYCK, JAMES R" (b)(6), (b)(7)(C)  
"MICHELINI, DENNIS J" (b)(6), (b)(7)(C) (CTR)"  
(b)(6), (b)(7)(C) "MORGAN, MARK A" (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) "NOC.NDD"

(b)(6) "NOC.SWO.Restricted" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) "ORTIZ, RAUL L" (b)(6), (b)(7)(C) "Owen, Todd C (EAC OFO)"  
 (b)(6), (b)(7)(C)  
 "PEREZ, ROBERT E" (b)(6), (b)(7)(C) "Phillips, Shawn" (b)(6)  
 "PORVAZNIK, ANTHONY J" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) "SABATINO, DIANE J" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) "SCOTT, RODNEY S"  
 (b)(6), (b)(7)(C) "SCUDDER, KATHLEEN" (b)(6), (b)(7)(C)  
 "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) USBP-NTC Managers (b)(7)(E)  
 (b)(6), (b)(7)(C) WATCH CBP INTEL  
 (b)(7)(E) "YOUNG, EDWARD E" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 Cc: SITROOM (b)(7)(E)  
 Subject: 01 August 2020 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)

Good Morning:

Please see the attached 1000 hours report for 08/01/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 29<sup>th</sup> night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 1,200 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No injuries reported.  
Arrests: 0

**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- <!--[if !supportLists]--><![endif]--> CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST: (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

07/31/2020 at 2154 hours PST: (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Office (AMO) launched (b)(7)(E) helicopter to provide over watch assistance. (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- <!--[if !supportLists]--><![endif]-->FPS gave the stand down order
- <!--[if !supportLists]--><![endif]-->No additional significant incidents/injuries to report at the Federal facilities.
- <!--[if !supportLists]--><![endif]-->U.S. Marshals arrested one subject.
- <!--[if !supportLists]--><![endif]-->No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with (b)(7)(E) SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

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**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 29<sup>th</sup> night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 1,200 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No injuries reported.  
Arrests: 0

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E)  
(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total				Total

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** ~~(b)(7)(E)~~ agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** ~~(b)(7)(E)~~ agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** ~~(b)(7)(E)~~ PAX): USBP SOG is providing ~~(b)(7)(E)~~ agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** ~~(b)(7)(E)~~ PAX): OFO SRT is providing ~~(b)(7)(E)~~ SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** ~~(b)(7)(E)~~ PAX): OFO SRT is providing ~~(b)(7)(E)~~ SRT Officers from the Blaine POE , USBP is providing ~~(b)(7)(E)~~ agents from the Blaine Sector (BLW) and ~~(b)(7)(E)~~ agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** ~~(b)(7)(E)~~ PAX): USBP SOG will maintain ~~(b)(7)(E)~~ agents on standby in El Paso, TX, able to deploy to any location within the United States within ~~(b)(7)(E)~~ hours of notification via AMO ~~(b)(7)(E)~~ flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** ~~(b)(7)(E)~~: LESC has identified ~~(b)(7)(E)~~ agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide ~~(b)(7)(E)~~ officers to assist DOI if requested. Blaine Sector has an additional ~~(b)(7)(E)~~ agents identified to support FPS in Seattle if requested.
- AMO has staged ~~(b)(7)(E)~~ aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with ~~(b)(7)(E)~~
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Settle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional ~~(b)(7)(E)~~ CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues

1. **FPS:**

1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E).
2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. **USCG**
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

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0005

- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- ~~(b)(7)(E)~~ CBP personnel are staged at three locations to provide support to FPS if requested.
- ~~(b)(7)(E)~~ Seattle ~~(b)(7)(E)~~ pax)
- ~~(b)(7)(E)~~ Seattle ~~(b)(7)(E)~~ pax)
  - CBPO ~~(b)(6), (b)(7)(C)~~ CBPO ~~(b)(6), (b)(7)(C)~~
  - ~~(b)(7)(E)~~ ICE ERO SRT located here as well
- ~~(b)(7)(E)~~ Seattle ~~(b)(7)(E)~~ pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): ~~(b)(7)(E)~~ SRT Personnel and ~~(b)(7)(E)~~ OFO EMT reported for duty to ~~(b)(7)(E)~~
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent ~~(b)(7)(E)~~  
~~(b)(7)(E)~~
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - ~~(b)(7)(E)~~ OFO SRT officers were staged at the ~~(b)(7)(E)~~ to provide support to FPS if requested
  - Throughout the shift, an OFO ~~(b)(7)(E)~~  
~~(b)(7)(E)~~
  - OFO SRT received ~~(b)(7)(E)~~  
~~(b)(7)(E)~~ and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

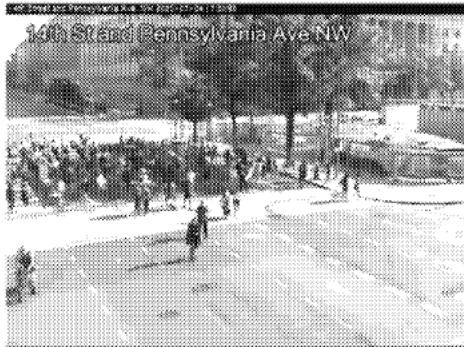
2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

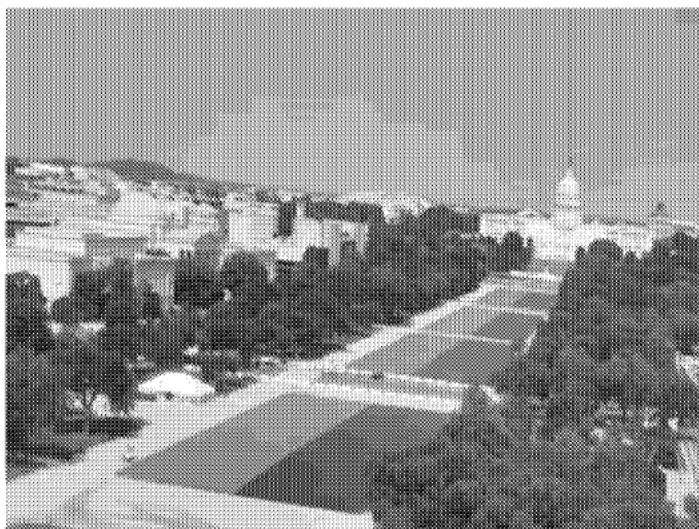
14th Street and Pennsylvania Ave. N.W.



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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

#### TIMELINE OF EVENTS:

##### CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately 30 Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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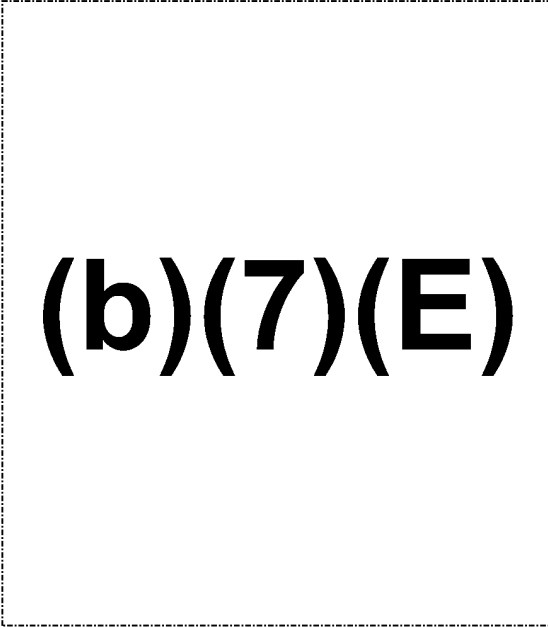
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [redacted] SOG personnel (b)(7)(E) landed via AMO [redacted]
- 1145 hours PDT: [redacted] SOG personnel have linked up with SOG Portland team (b)(7)(E) for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [redacted] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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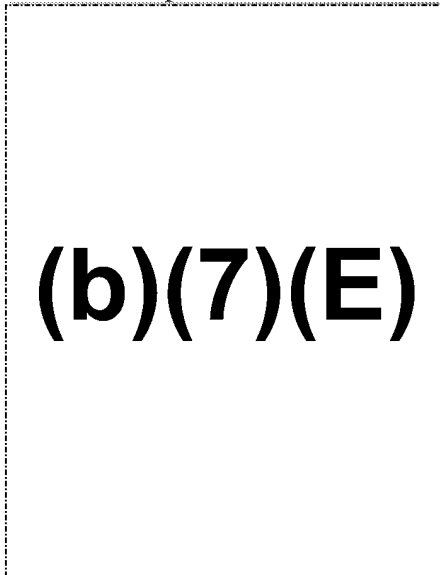
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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED



- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The ~~(b)(7)(E)~~ SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed USBP SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E), (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E) SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) Building. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). [REDACTED] Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
(b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal/ (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) back towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E). The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] and [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] OFO SRT
- [REDACTED] SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal chemical munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO [redacted] (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing [redacted] (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [redacted] (b)(7)(E) and [redacted] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: CBP Personnel**

- SDC/SOD (b)(7)(E) BORTAC, BORSTAR, (b)(7)(E) Agents
- YUM/SOD (b)(7)(E) BORTAC, BORSTAR, (b)(7)(E) Agents
- SOG (Command and Control)
- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- AMO Ground / Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

(b)(7)(E)

(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) agents were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- SOG (Command and Control)
- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group [REDACTED] PAX: Command and Control for CBP operations
- USBP HQ [REDACTED] PAX: Liaison coordination
- OFO/SRT [REDACTED] PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] PAX: [REDACTED] CBP YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) [REDACTED] and [REDACTED] (b)(7)(E) [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: [REDACTED] (b)(7)(E) [REDACTED] throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E) [REDACTED]

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR [REDACTED] (b)(7)(E) Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) agents were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) [REDACTED] techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions/(b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

#### **CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### **CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- [REDACTED] SOG Intel
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / [REDACTED]

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD [REDACTED] PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents)
- Special Operations Group [REDACTED] PAX: Command and Control for CBP operations
- USBP HQ [REDACTED] PAX: Liaison coordination
- OFO/SRT [REDACTED] PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD [REDACTED] PAX: [REDACTED] CBP YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have [REDACTED] (b)(7)(E) coverage throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing

(b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(D) TCA MRT arrived.

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(D) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD, (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/29/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately (b)(7)(E) (b)(7)(E)

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/ (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/ (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lownsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Office (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with [redacted] SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs



Message

**From:** MORGAN, MARK A (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**Sent:** 8/8/2020 11:47:37 AM

**To:** PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**CC:** ORTIZ, RAUL L (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) SCOTT, RODNEY S  
 PEREZ, ROBERT E

**Subject:** Fwd: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 03 Aug 2020 1000 hours

**Attachments:** 08Aug2020 4th of July Support .docx; ATT00001.htm

GM. Do we have any details what the criminals did to the PPB facilities or other acts of violence?

Sent from my iPhone

Begin forwarded message:

**From:** SITROOM (b)(7)(E)

**Date:** August 8, 2020 at 7:31:24 AM EDT

**To:** "NOC.SWO.Restricted" (b)(6)

**Cc:** "MORGAN, MARK A" (b)(6), (b)(7)(C) "PEREZ, ROBERT E"  
 (b)(6), (b)(7)(C) "FERRARA, WILLIAM" (b)(6), (b)(7)(C)  
 "JACKSTA, LINDA L" (b)(6), (b)(7)(C) "SCOTT, RODNEY S"  
 (b)(6), (b)(7)(C) "ORTIZ, RAUL L" (b)(6), (b)(7)(C) "PORVAZNIK,  
 ANTHONY J" (b)(6), (b)(7)(C) "Owen, Todd C (EAC OFO)"  
 (b)(6), (b)(7)(C) "FORET, VERNON T" (b)(6), (b)(7)(C) "YOUNG,  
 EDWARD E" (b)(6), (b)(7)(C) "BOYER, STEPHEN A"  
 (b)(6), (b)(7)(C) "MICHELINI, DENNIS J" (b)(6), (b)(7)(C)  
 "COLLINS, JAMES L." (b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C) "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) CBP SITROOM- SWOS (b)(7)(E)  
 (b)(6), (b)(7)(C), (b)(7)(E) WATCH CBP INTEL  
 (b)(7)(E) "SCUDDER, KATHLEEN" (b)(6), (b)(7)(C)  
 "LANDRUM, RYAN P" (b)(6), (b)(7)(C) FPS IMC (b)(6) "CUSTER,  
 CORY J" (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) "Phillips, Shawn"  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) "NOC.NDD"  
**(b)(6), (b)(7)(C)**



**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)	CBP HQ EOC EOC Director		
(b)(7)(E)	AMOC WATCH	(b)(7)(E)	
(b)(6), (b)(7)(C)	LEOD-OPS-CELL	(b)(7)(E)	
(b)(7)(E)	Ops ACC Distro	(b)(7)(E)	"DANLEY, ROBERT"
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)		HEITKE, AARON M"	
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)	OPS SPECIAL OPERATIONS	(b)(7)(E)	SOG EOC
(b)(6), (b)(7)(C), (b)(7)(E)			
<b>(b)(6), (b)(7)(C)</b>			
"SABATINO, DIANE J"	(b)(6), (b)(7)(C)	SITROOM	(b)(7)(E)
<b>Subject: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)</b>			
(b)(7)(E)	<b>03 Aug 2020 1000 hours</b>		

Good morning,

Please see the attached 1000 hours report for CBP Law Enforcement Support to Portland, Oregon. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon, for the 36<sup>th</sup> night of law enforcement support. AMO provided aerial surveillance with one scheduled flight. There were approximately 40 – 50 demonstrators in front of the Hatfield Courthouse. Oregon State Police reported two mortar fireworks were thrown inside the fencing at the Hatfield Courthouse. There was no reported property damage to federal buildings, nor were any CBP personnel assaulted.

No employee injuries reported. No less lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 37<sup>th</sup> night of law enforcement support.*

**CBP Portland Team Sit Rep 08/07/2020 to 08/08/2020:**

At 1700 PDT (2000 EDT), August 7, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- <!--[if !supportLists]--><![endif]-->NTR

AMO has (b)(7)(E) scheduled flight at 2200 hours PDT (0100 hours EDT). (b)(7)(E)

(b)(7)(E)

**CBP MANPOWER 08/07/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) CBP OIT

08/07/2020 at 1900 hours PDT (2200 hours EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) capable of deploying at a (b)(7)(E) notice. (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/07/2020 at 1905 hours PDT (2205 hours EDT): Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse.

08/07/2020 at 2210 hours PDT (0110 hours EDT): AMO launches (b)(7)(E) helicopter to assist with over watch operations.

08/07/2020 at 2252 hours PDT (0152 hours EDT): OSP reports two mortar fireworks thrown inside the fence surrounding the Hatfield Courthouse. Observation Post reports fireworks launched from 3<sup>rd</sup> St./ Salmon St. area. No injuries reported at this time.

08/07/2020 at 2254 hours PDT (0154 hours EDT): OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/08/2020 at 0210 hours PDT (0510 hours EDT):

- <!--[if !supportLists]--><![endif]-->FPS gave the stand down order
- <!--[if !supportLists]--><![endif]-->No additional significant incidents/injuries to report at the Federal facilities.
- <!--[if !supportLists]--><![endif]-->No arrests.
- <!--[if !supportLists]--><![endif]-->No change to path forward. CBP will maintain QRF posture.



Message

From: SITROOM (b)(7)(E)  
(b)(7)(E)

Sent: 8/2/2020 1:13:30 PM

To: AMOC WATCH (b)(7)(E)  
(b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C) BOYER, STEPHEN A  
(b)(6), (b)(7)(C) BP INTEL FIELD PAICs-  
DPAICs (b)(7)(E) BPHQG2  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) CBP HQ EOC EOC  
Director (b)(7)(E) CBP SITROOM- SWOS  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) COLLINS, JAMES L.  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) CUSTER, CORY J  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) (CTR)  
(b)(6), (b)(7)(C) FERRARA, WILLIAM  
(b)(6), (b)(7)(C) FORET, VERNON T  
(b)(6), (b)(7)(C) FPS IMC  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) JACKSTA, LINDA L  
**(b)(6), (b)(7)(C)**  
(OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (CTR)

(b)(6)

LANDRUM, RYAN P

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

MANDRYCK, JAMES R

MICHELINI, DENNIS J

(b)(6), (b)(7)(C)

(CTR)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

MORGAN, MARK A

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

'NOC.NDD'

(b)(6)

NOC.SWO.Restricted

(b)(6)

**(b)(6), (b)(7)(C), (b)(7)(E)**

**(b)(6), (b)(7)(C)**

ORTIZ, RAUL L

; Owen, Todd C (EAC

(OFO)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PEREZ, ROBERT E

(b)(6), (b)(7)(C)

Phillips, Shawn

(b)(6), (b)(7)(C)

PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SABATINO, DIANE J

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

SCOTT, RODNEY S

(b)(6), (b)(7)(C)

SCUDDER, KATHLEEN

**(b)(6), (b)(7)(C)**

; SABATINO, DIANE J

SEGUIN, DEBBIE W

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

; USBP-NTC Managers

(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

WATCH CBP INTEL

(b)(7)(E)

YOUNG, EDWARD E

(b)(6), (b)(7)(C)

CC: SITROOM:

(b)(7)(E)

(b)(7)(E)

Subject: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 02 Aug 2020  
1000 hours

Attachments: 02Aug2020 0300 4th of July Support .docx

Good Morning:

Please see the attached CBP Law Enforcement Support report for August 02, 2020. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP law enforcement officers (LEOs) reported to Portland, Oregon for the 30th night of law enforcement support. (b)(7)(E) OPA personnel were also on site. Oregon State Police (OSP) has deployed (b)(7)(E) State Troopers as the lead agency to secure the area in and around the courthouse property. CBP LEOs are staged nearby for Quick Reaction Force (QRF). Air and Marine Operations provided aerial surveillance with (b)(7)(E) (b)(7)(E) flights. Approximately 1000 protestors gathered tonight at the height. Subjects shined flashlights, powerful lasers, and threw bottles at the courthouse. Subjects started a fire that was extinguished by FPS.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBPO

CBP LEOs will report to Portland tonight for the 31<sup>st</sup> night of law enforcement support.

**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. (b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) Agents at the (b)(7)(E) (approximately (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP Personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/01/2020 at 1939 hours PST: (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrunk Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching: (b)(7)(E)

(b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

(b)(6), (b)(7)(C)

NREMT

Chief - Senior Watch Officer

HQ - Washington, DC

Desk: (b)(6), (b)(7)(C)

Mobile: (b)(6), (b)(7)(C)

JWICS: (b)(6), (b)(7)(C)

UNCLASS: (b)(6), (b)(7)(C)





U.S. Customs and  
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**BLUF:** (b)(7)(E) CBP law enforcement officers (LEOs) reported to Portland, Oregon for the 30th night of law enforcement support. (b)(7)(E) OPA personnel were also on site. Oregon State Police (OSP) has deployed (b)(7)(E) State Troopers as the lead agency to secure the area in and around the courthouse property. CBP LEOs are staged nearby for Quick Reaction Force (QRF). Air and Marine Operations provided aerial surveillance with (b)(7)(E) flights. Approximately 1000 protestors gathered tonight at the height. Subjects shined flashlights, powerful lasers, and threw bottles at the courthouse. Subjects started a fire that was extinguished by FPS.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBPO

CBP LEOs will report to Portland tonight for the 31<sup>st</sup> night of law enforcement support.

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

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Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** (b)(7)(E) **agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** (b)(7)(E) **agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- Portland, OR (b)(7)(E) PAX: USBP SOG is providing (b)(7)(E) agents from El Paso, TX to support FPS in Portland, OR. Active
- Washington, DC (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- Seattle, WA (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE, USBP is providing (b)(7)(E) agents from the Blaine Sector (BLW) and (b)(7)(E) agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- Standby SOG RDT (b)(7)(E) PAX: USBP SOG will maintain (b)(7)(E) agents on standby in El Paso, TX, able to deploy to any location within the United States within (b)(7)(E) hours of notification via AMO (b)(7)(E) flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- Secondary Standby Team (b)(7)(E) LESC has identified (b)(7)(E) agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide (b)(7)(E) officers to assist DOI if requested. Blaine Sector has an additional (b)(7)(E) agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all [REDACTED] CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- **Seattle Team:** Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the [REDACTED] [REDACTED] in Seattle with FPS for a 1400-0200 (PDT) shift.
- **Portland Team:** Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the [REDACTED] [REDACTED] and the second team will be in the [REDACTED] Courthouse. SUAS will provide [REDACTED] from the [REDACTED] in order to assist the teams with [REDACTED] and situational awareness.
- **Washington D.C. Team:** Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the [REDACTED] [REDACTED] on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] and [REDACTED] with [REDACTED] capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED].
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [redacted] on a [redacted] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. **USCG**
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [redacted] BLW SOD/MFF and [redacted] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [redacted] (b)(7)(E)

[redacted] (b)(7)(E) and the [redacted] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

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0005

- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)

(b)(7)(E)

- 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E) (b)(7)(E)
  - OFO SRT received (b)(7)(E) (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

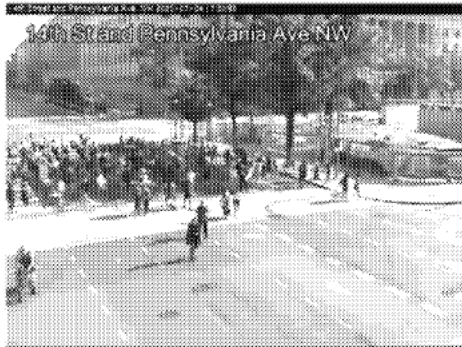
2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

#### National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

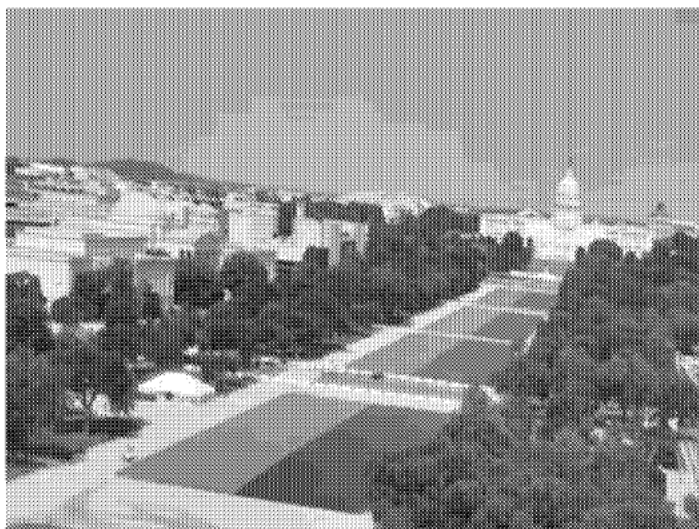
14th Street and Pennsylvania Ave. N.W.



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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

#### TIMELINE OF EVENTS:

#### CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

**CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT:  SOG personnel  landed via AMO
- 1145 hours PDT:  SOG personnel have linked up with SOG Portland team  for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

(b)(7)(E)

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an “Unlawful Assembly Announcement” to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
**(b)(7)(E)**
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize [REDACTED] (b)(7)(E) [REDACTED] to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject [REDACTED] (b)(6), (b)(7)(C) [REDACTED] Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: [REDACTED] (b)(7)(E) [REDACTED]

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) [REDACTED] and [REDACTED] (b)(7)(E) [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] OFO SRT
- [REDACTED] SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: CBP Personnel**

- SDC/SOD, BORTAC, BORSTAR, (b)(7)(E) Agents
- SOG (Command and Control)
- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- AMO Ground / Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** [REDACTED] **CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] Agents
- [REDACTED] YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] Agents
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED]
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED]

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

[REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
 (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (2 Ground / (b)(7)(E) Air Crew (b)(7)(E))

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is [REDACTED] (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / [REDACTED] (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E) no further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E) The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

- CBP MANPOWER 7/25/20** (b)(7)(E) **CBP Personnel**
- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
  - (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
  - SOG (Command and Control)
  - SOG (b)(7)(E)
  - USBP HQ
  - CBP OPA
  - OFO SRT
  - CBP OPR
  - CBP OTD

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- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset: [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions/(b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and the (b)(7)(E). The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council’s recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at Seattle (b)(7)(E)  
(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT (b)(7)(E)
- CBP OPR
- CBP OTD
- AMO Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (BORTAC, BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: CBP YUM/SOD (BORTAC, BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- [REDACTED] CBP OFO SRT
- [REDACTED] BLW SOD
- [REDACTED] SOG Support Personnel
- [REDACTED] USBP HQ

**CBP MANPOWER 7/27/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD [REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG Support Personnel
- [REDACTED] BLW SOD
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / [REDACTED] (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness via [REDACTED] (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [REDACTED] (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [redacted (b)(7)(E)] were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [redacted (b)(7)(E)] were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [redacted (b)(7)(E)] were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing: (b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- [REDACTED] TCA MRT arrived.

AMO plans to have [REDACTED] (b)(7)(E) coverage throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/27/20: [REDACTED] (b)(7)(E) CBP Personnel**

- [REDACTED] (b)(7)(E) YUM/SOD [REDACTED] (b)(7)(E) BORTAC, [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E) SOG (Command and Control)
- [REDACTED] (b)(7)(E) SOG BTC
- [REDACTED] (b)(7)(E) SOG BST
- [REDACTED] (b)(7)(E) SOG Support Personnel
- [REDACTED] (b)(7)(E) EPT BTC
- [REDACTED] (b)(7)(E) BLW SOD
- [REDACTED] (b)(7)(E) SOG [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E) USBP HQ
- [REDACTED] (b)(7)(E) CBP OPA
- [REDACTED] (b)(7)(E) OFO SRT
- [REDACTED] (b)(7)(E) CBP OPR
- [REDACTED] (b)(7)(E) CBP OTD
- [REDACTED] (b)(7)(E) EPT CIT
- [REDACTED] (b)(7)(E) ELC CIT
- [REDACTED] (b)(7)(E) AMO
- [REDACTED] (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have: (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

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AMO plans to have: [redacted] coverage throughout the night from 2200-0300 tonight. [redacted]

**CBP MANPOWER 7/29/20:** [redacted] **CBP Personnel**

- [redacted] USBP
- [redacted] OFO SRT
- [redacted] CBP
- [redacted] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lowndale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [redacted]  
[redacted]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal [redacted] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal [redacted] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowndale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: 02 Aug 2020, 1000hrs



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA
- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

Office: CBP SITROOM- Senior Watch Officer

Updated: 02 Aug 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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07/31/2020 at 2154 hours PST: [REDACTED] (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Office (AMO) launched [REDACTED] (b)(7)(E) helicopter to provide over watch assistance. [REDACTED] (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual [REDACTED] (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have [REDACTED] (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- U.S. Marshals arrested one subject.

Office: CBP SITROOM- Senior Watch Officer

Updated: 02 Aug 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with [redacted] SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.

**AMO Aerial Support in Portland, OR**

On August 01, 2020, Air and Marine Operations (AMO) advised on July 31, 2020, Oregon State Police (OSP), Portland Officer requested AMO's assistance to provide Provide aerial over-watch and [redacted] (b)(7)(E) [redacted] during high threat periods of civil unrest in Portland, OR.

AMO's Mission will be to conduct [redacted] (b)(7)(E) [redacted] flights between 2200-0400 to assist numerous Oregon State Patrol, and possibly other federal partners (FPS, USMS, HSI, OFO, USBP) in preparing for and responding to civil unrest threatening federal facilities in Portland OR.

**Requestor:** Oregon State Police (OSP), Portland Office

**Date of Request:** 31 July 2020.

**Date(s) of Event:** 31 July – 14 Aug 2020. (15 Days)

**Number of Participants:** [redacted] (b)(7)(E)

**Individual Roles/Participants:**

1. [redacted] x CDO
2. [redacted] x [redacted] (b)(7)(E)
3. [redacted] x [redacted] (b)(7)(E)
4. [redacted] x AMCIT
5. [redacted] x [redacted] (b)(7)(E) flight crews:
6. [redacted] x [redacted] (b)(7)(E) mechanics:

**Type of Asset Recommended or Capabilities Requested:** [redacted] x [redacted] (b)(7)(E) helicopters for [redacted] (b)(7)(E) and aviation liaison (CDO).

Office: CBP SITROOM- Senior Watch Officer

Updated: 02 Aug 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**CBP Portland Team Sit Rep 8/01/2020 to 08/02/2020:**

At 1700 (PST) on August 1, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) OPA
- (b)(7)(E) AMO
- (b)(7)(E) OPR

AMO has (b)(7)(E) schedule flights at 2200 hours PST and 2400 hours PST. (b)(7)(E)

**CBP MANPOWER 08/01/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) YUM SOD
- (b)(7)(E) YUM HQ
- (b)(7)(E) YUM IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) ECT
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

Office: CBP SITROOM- Senior Watch Officer  
Updated: 02 Aug 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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08/01/2020 at 1900 hours PST: Oregon State Police (OSP) has designated [redacted] officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel are staged in a QRF posture at three locations: [redacted] Agents at the [redacted] (b)(7)(E) [redacted] (b)(7)(E) [redacted] Agents at the [redacted] (b)(7)(E) [redacted] (approximately [redacted] (b)(7)(E) with an (b)(7)(E) response time), and [redacted] CBP Personnel at the [redacted] (b)(7)(E) [redacted] (approximately [redacted] (b)(7)(E) with a [redacted] (b)(7)(E) response).

08/01/2020 at 1939 hours PST [redacted] (b)(7)(E) reports a red and blue drone flying near the Edith Green building. FPS dispatched agents to respond. No disposition.

08/01/2020 at 2008 hours PST: OSP reports five protesters in front of Hatfield Courthouse.

08/01/2020 at 2028 hours PST: OSP reports approximately 125-130 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2110 hours PST: OSP reports approximately 150-200 protestors in front of the Hatfield Courthouse.

08/01/2020 at 2132 hours PST: OSP reports 6 individuals are attempting to set up a tent on park grounds (Terry Schrank Plaza). No disposition given.

08/01/2020 at 2156 hours PST: FPS dispatching [redacted] (b)(7)(E)

[redacted] (b)(7)(E)

08/01/2020 at 2209 hours PST: OSP reports a group of protesters on Main St. moving towards Salmon St. Protesters joined the group that was positioned at the Hatfield Courthouse. No count of group size has been given.

08/01/2020 at 2248 hours PST: A small group of protesters have broken off of the original group and are moving west on Main St.

08/01/2020 at 2248 hours PST: OSP reports approximately 1,000 protesters in front of the Hatfield Courthouse.

08/01/2020 at 2316 hours PST: OSP reports large pickup truck blocking 3<sup>rd</sup> St. /Madison St.

08/01/2020 at 2350 hours PST: OSP reports one subject walking near 3<sup>rd</sup> St. /Main St. openly carrying what appears to be an AR-15. OSP states they will monitor from a distance.

Office: CBP SITROOM- Senior Watch Officer  
Updated: 02 Aug 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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08/01/2020 at 2357 hours PST: OSP reports one subject walking from Edith Green Building to Hatfield Courthouse carrying a Molotov cocktail. OSP states they were unable to establish contact with the suspect to confirm or deny the report.

08/02/2020 at 0010 hours PST: OSP reports approximately 150-200 protesters on 2<sup>nd</sup> St. /Jefferson St. blocking intersection and entrance ramp to Edith Green Building.

08/02/2020 at 0016 hours PST: OSP report approximately 500 protesters on 2<sup>nd</sup> St. / Jefferson St. near the entrance ramp of the Edith Green Building. Protesters are shining flashlights, green lasers and throwing glass bottles at the building. At the moment, FPS reports no damage to the facility.

08/02/2020 at 0116 hours PST: OSP reports a large number of protesters moving towards Couch St. Approximately 5 violent opportunist remain at the Edith Green Building. FPS and OSP are monitoring the situation.

08/02/2020 at 0122 hours PST: FPS reports a group of 15 violent opportunist used trash to start a small fire on the east side of the Hatfield Courthouse. FPS responded and contained the fire using a water hose.

08/02/2020 at 0146 hours PST: OSP reports approximately 50 protesters remain at the Hatfield Courthouse. The large group of protesters that departed from Edith Green building returned and are currently on 4<sup>th</sup> St. /Main St.

08/02/2020 at 0155 hours PST: OSP reports protesters have dispersed.

08/02/2020 at 0216 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

Office: CBP SITROOM- Senior Watch Officer  
Updated: 02 Aug 2020, 1000hrs

Message

**From:** YOUNG, EDWARD E; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Sent:** 8/4/2020 11:54:52 AM  
**To:** MICHELINI, DENNIS J; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**CC:** BOYER, STEPHEN A; (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** FW: CBP RESPONSE: (U//~~E5~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 04 Aug 2020  
1000 hours  
**Attachments:** 04Aug2020 4th of July Support .docx

Dennis,

Could you ask our guys if they are attending the brief? They are listing a large contingency of agencies but I have not seen AMO.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Our guys attended when I was there and it sounded like they had been going.

I have been reading this for the past few days and it looks like a cut and paste.

If we are attending, could you get them to correct the report?

Thank You,

Edward E. Young  
Executive Assistant Commissioner  
CBP Air and Marine Operations  
Desk: (b)(6), (b)(7)(C)  
Mobile: (b)(6), (b)(7)(C)

*Safeguarding the Nation from the Air and Sea*

**From:** SITROOM; (b)(7)(E)  
**Sent:** Tuesday, August 4, 2020 6:40 AM  
**To:** AMOC WATCH; (b)(6), (b)(7)(C), (b)(7)(E) BOYER, STEPHEN  
A; (b)(6), (b)(7)(C) BP INTEL FIELD PAICs-DPAICs; (b)(7)(E)  
BPHQG2; (b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C) CBP HQ EOC EOC Director; (b)(7)(E) CBP

SITROOM- SWOS	(b)(6), (b)(7)(C), (b)(7)(E)		
(b)(6), (b)(7)(C)	COLLINS, JAMES L	(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)	CUSTER, CORY J	(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)	FERRARA, WILLIAM	(b)(6), (b)(7)(C)	FORET,
VERNON T	(b)(6), (b)(7)(C)	FPS IMC	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)			JACKSTA, LINDA L
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)			(OCC)
(b)(6), (b)(7)(C)			LANDRUM, RYAN P
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)	MANDRYCK, JAMES R	(b)(6), (b)(7)(C)	MICHELINI, DENNIS J
(b)(6), (b)(7)(C)	(CTR)	(b)(6), (b)(7)(C)	MORGAN, MARK A
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)	'NOC.NDD'	(b)(6)	NOC.SWO.Restricted
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)	ORTIZ, RAUL L	(b)(6), (b)(7)(C)	Owen, Todd C (EAC OFO)
(b)(6), (b)(7)(C)			PEREZ, ROBERT E
(b)(6), (b)(7)(C)	Phillips, Shawn	(b)(6)	PORVAZNIK, ANTHONY J
(b)(6), (b)(7)(C)			SABATINO,
DIANE J	(b)(6), (b)(7)(C)		SCOTT, RODNEY S
(b)(6), (b)(7)(C)	SCUDDER, KATHLEEN	(b)(6), (b)(7)(C)	SABATINO, DIANE J
(b)(6), (b)(7)(C)	SEGUIN, DEBBIE W	(b)(6), (b)(7)(C)	
(b)(6), (b)(7)(C)			USBP-NTC
Managers	(b)(6), (b)(7)(C), (b)(7)(E)		WATCH
CBP INTEL	(b)(7)(E)	YOUNG, EDWARD E	(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)			

Cc: SITROOM: (b)(7)(E)

Subject: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 04 Aug 2020 1000 hours

Good Morning:

Please see the attached CBP Law Enforcement Support report for August 04, 2020. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 32nd night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 70 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

CBP LEOs will report to Portland tonight for the 33rd night of law enforcement support.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**



At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has one scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU

CBP Personnel are staged in a QRF posture at three locations, (b)(7)(E) agents at the (b)(7)(E) (b)(7)(E) agents at the (b)(7)(E) (approximately (b)(7)(E) with an (b)(7)(E) response time), and (b)(7)(E) CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/03/2020 at 1900 hours PST: OSP has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 (b)(7)(E) officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PBB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed (b)(7)(E) munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

(b)(6), (b)(7)(C) MEP  
Assistant Chief Patrol Agent  
Senior Watch Officer  
Information and Incident Coordination Center  
Headquarters - Washington, D.C.  
Office: (b)(6), (b)(7)(C)  
Mobile: (b)(6), (b)(7)(C)  
Unclass: (b)(6), (b)(7)(C)



U.S. Customs and  
Border Protection



Message

**From:** PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Sent:** 8/5/2020 12:49:02 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 04 Aug 2020 1000 hours  
**Attachments:** 04Aug2020 4th of July Support .docx

Is this what CI is looking for?

Tony Porvaznik  
 Acting Chief  
 USBP/HQ/LEOD

(b)(6), (b)(7)(C) (desk)  
 (b)(6), (b)(7)(C) (cell)

**From:** SITROOM (b)(7)(E)  
**Sent:** Tuesday, August 4, 2020 6:39:41 AM  
**To:** AMOC WATCH (b)(6), (b)(7)(C), (b)(7)(E) BOYER, STEPHEN  
 A (b)(6), (b)(7)(C) BP INTEL FIELD PAICs-DPAICs (b)(7)(E)  
 BPHQG2 (b)(6), (b)(7)(C), (b)(7)(E)  
 (b)(6), (b)(7)(C) CBP HQ EOC EOC Director (b)(7)(E) CBP  
 SITROOM- SWOS (b)(6), (b)(7)(C), (b)(7)(E)  
 (b)(6), (b)(7)(C) COLLINS, JAMES L (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) CUSTER, CORY J (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (CTR) (b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C) FORET,  
 VERNON T (b)(6), (b)(7)(C) FPS IMC (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) JACKSTA, LINDA L  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC)  
 (b)(6), (b)(7)(C) (CTR) (b)(6), (b)(7)(C) LANDRUM, RYAN P  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) MICHELINI, DENNIS J  
 (b)(6), (b)(7)(C) (CTR) (b)(6), (b)(7)(C) MORGAN, MARK A  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) 'NOC.NDD' (b)(6) NOC.SWO.Restricted  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO)  
 (b)(6), (b)(7)(C) PEREZ, ROBERT E  
 (b)(6), (b)(7)(C) Phillips, Shawn (b)(6) PORVAZNIK, ANTHONY J  
 (b)(6), (b)(7)(C) SABATINO,  
 DIANE J (b)(6), (b)(7)(C) SCOTT, RODNEY S  
 (b)(6), (b)(7)(C) SCUDDER, KATHLEEN (b)(6), (b)(7)(C) SABATINO, DIANE J  
 (b)(6), (b)(7)(C) SEGUIN, DEBBIE W (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) USBP-NTC  
 Managers (b)(6), (b)(7)(C), (b)(7)(E) WATCH  
 CBP INTEL (b)(7)(E) YOUNG, EDWARD E (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Cc:** SITROOM (b)(7)(E)

Good Morning:

Please see the attached CBP Law Enforcement Support report for August 04, 2020. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 32nd night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 70 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No employee injuries reported.

All personnel secure.

No less lethal deployed by CBP

No arrests made by CBP

CBP LEOs will report to Portland tonight for the 33rd night of law enforcement support.

**CBP Portland Team Sit Rep 08/03/2020 to 08/04/2020:**

At 1700 PST, August 3, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

AMO has (b)(7)(E) scheduled flight for 2300 hours PST. (b)(7)(E)

**CBP MANPOWER 08/03/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) OPA
- (b)(7)(E) OI
- (b)(7)(E) AMO
- (b)(7)(E) TUC MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) EPT SOD

- EPT IU

CBP Personnel are staged in a QRF posture at three locations, agents at the (b)(7)(E) (b)(7)(E) agents at the (b)(7)(E) (approximately (b)(7)(E) with an (b)(7)(E) response time), and CBP personnel at the (b)(7)(E) (approximately (b)(7)(E) with a (b)(7)(E) response).

08/03/2020 at 1900 hours PST: OSP has designated officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

08/03/2020 at 1921 hours PST: OSP reports approximately 70 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2103 hours PST: OSP reports two vehicles blocking traffic on 3<sup>rd</sup> St. /Madison Ave.

08/03/2020 at 2158 hours PST: OSP reports one male subject crossed the fence onto federal property outside the Hatfield Courthouse. OSP reports subject ran to the south side of the property before crossing back into the street off of federal property.

08/03/2020 at 2226 hours PST: OSP reports approximately 60 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2244 hours PST: OSP deploys to arrest one subject on 4<sup>th</sup> St. /Taylor St. OSP states the subject brandished a knife at protesters and a gun on 3 (b)(7)(E) officers. The subject was taken into custody without incident. OSP seized (1) knife and (1) airsoft pistol.

08/03/2020 at 2306 hours PST: OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/03/2020 at 2307 hours PST: OSP reports one vehicle blocking traffic on 4<sup>th</sup> St. /Main Street.

08/03/2020 at 2320 hours PST: OSP and Portland Police Bureau (PPB) addresses a large group of protesters near the PPB East Precinct located at 737 SE 106<sup>th</sup> Ave. Portland, Oregon 97216. OSP/PPB deployed (b)(7)(E) munitions. Protesters retreated in the direction of 47<sup>th</sup> St. /Burnside St.

08/04/2020 at 2400 hours PST: AMO launches second flight to assist OSP/PPB near the PPB East Precinct.

08/04/2020 at 0206 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- OSP arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

(b)(6), (b)(7)(C) MEP  
Assistant Chief Patrol Agent  
Senior Watch Officer  
Information and Incident Coordination Center  
Headquarters - Washington, D.C.  
Office: (b)(6), (b)(7)(C)  
Mobile: (b)(6), (b)(7)(C)  
Unclass: (b)(6), (b)(7)(C)



U.S. Customs and  
Border Protection



Message

**From:** MORGAN, MARK A (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Sent:** 8/8/2020 11:47:37 AM  
**To:** PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**CC:** ORTIZ, RAUL L (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) SCOTT, RODNEY S  
(b)(6), (b)(7)(C) PEREZ, ROBERT E  
(b)(6), (b)(7)(C)  
**Subject:** Fwd: CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E) 03 Aug 2020 1000 hours  
**Attachments:** 08Aug2020 4th of July Support .docx; ATT00001.htm

GM. Do we have any details what the criminals did to the PPB facilities or other acts of violence?

Sent from my iPhone

Begin forwarded message:

**From:** SITROOM (b)(7)(E)  
**Date:** August 8, 2020 at 7:31:24 AM EDT  
**To:** "NOC.SWO.Restricted" (b)(6)  
**Cc:** "MORGAN, MARK A" (b)(6), (b)(7)(C) "PEREZ, ROBERT E"  
(b)(6), (b)(7)(C) "FERRARA, WILLIAM" (b)(6), (b)(7)(C)  
"JACKSTA, LINDA L" (b)(6), (b)(7)(C) "SCOTT, RODNEY S"  
(b)(6), (b)(7)(C) "ORTIZ, RAUL L" (b)(6), (b)(7)(C) "PORVAZNIK,  
ANTHONY J" (b)(6), (b)(7)(C) "Owen, Todd C (EAC OFO)"  
(b)(6), (b)(7)(C) "FORET, VERNON T" (b)(6), (b)(7)(C) "YOUNG,  
EDWARD E" (b)(6), (b)(7)(C) "BOYER, STEPHEN A"  
(b)(6), (b)(7)(C) "MICHELINI, DENNIS J" (b)(6), (b)(7)(C)  
"COLLINS, JAMES L." (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) "SEGUIN, DEBBIE W" (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) CBP SITROOM- SWOS (b)(7)(E)  
(b)(6), (b)(7)(C), (b)(7)(E) WATCH CBP INTEL  
(b)(7)(E) "SCUDDER, KATHLEEN" (b)(6), (b)(7)(C)  
"LANDRUM, RYAN P" (b)(6), (b)(7)(C) FPS IMC (b)(6) "CUSTER,  
CORY J" (b)(6), (b)(7)(C) "HAYES, STEPHEN L" (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) "Phillips, Shawn"  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) "NOC.NDD"  
**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)	CBP HQ EOC EOC Director		
(b)(7)(E)	AMOC WATCH	(b)(7)(E)	
(b)(6), (b)(7)(C)	LEOD-OPS-CELL	(b)(7)(E)	
(b)(7)(E)	Ops ACC Distro	(b)(7)(E)	"DANLEY, ROBERT"
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)		"HEITKE, AARON M"	
(b)(6), (b)(7)(C)			
(b)(6), (b)(7)(C)	OPS SPECIAL OPERATIONS	(b)(7)(E)	SOG EOC
(b)(6), (b)(7)(C), (b)(7)(E)			
"SABATINO, DIANE J"	(b)(6), (b)(7)(C)	SITROOM	(b)(7)(E)
<b>Subject: CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances</b>			
(b)(7)(E)	03 Aug 2020 1000 hours		

Good morning,

Please see the attached 1000 hours report for CBP Law Enforcement Support to Portland, Oregon. Changes since yesterday's report have been highlighted below in RED.

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon, for the 36<sup>th</sup> night of law enforcement support. AMO provided aerial surveillance with one scheduled flight. There were approximately 40 – 50 demonstrators in front of the Hatfield Courthouse. Oregon State Police reported two mortar fireworks were thrown inside the fencing at the Hatfield Courthouse. There was no reported property damage to federal buildings, nor were any CBP personnel assaulted.

No employee injuries reported. No less lethal deployed by CBP. No arrests made by CBP. All personnel secure.

*CBP LEOs will report to Portland tonight for the 37<sup>th</sup> night of law enforcement support.*

**CBP Portland Team Sit Rep 08/07/2020 to 08/08/2020:**

At 1700 PDT (2000 EDT), August 7, 2020, USBP SOG, SOD, MRT, AMO, BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police (OSP) and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. OSP and FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by OSP as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- <!--[if !supportLists]--><![endif]-->NTR



AMO has (b)(7)(E) scheduled flight at 2200 hours PDT (0100 hours EDT). (b)(7)(E)  
(b)(7)(E)

**CBP MANPOWER 08/07/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG HQ
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) DRT SOD
- (b)(7)(E) DRT IU
- (b)(7)(E) SDC SOD
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) EPT SOD
- (b)(7)(E) EPT IU
- (b)(7)(E) CBP OIT

08/07/2020 at 1900 hours PDT (2200 hours EDT): Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response. (b)(7)(E) Agents will remain in a QRF posture at their respective (b)(7)(E) capable of deploying at (b)(7)(E) notice. (b)(7)(E) (b)(7)(E) is unsuitable due to current lack of power on site. Alternate location options are currently being explored.

08/07/2020 at 1905 hours PDT (2205 hours EDT): Observation Post reports approximately 40 protesters in front of the Hatfield Courthouse.

08/07/2020 at 2210 hours PDT (0110 hours EDT): AMO launches (b)(7)(E) helicopter to assist with over watch operations.

08/07/2020 at 2252 hours PDT (0152 hours EDT): OSP reports two mortar fireworks thrown inside the fence surrounding the Hatfield Courthouse. Observation Post reports fireworks launched from 3<sup>rd</sup> St./ Salmon St. area. No injuries reported at this time.

08/07/2020 at 2254 hours PDT (0154 hours EDT): OSP reports approximately 40-50 protesters in front of the Hatfield Courthouse.

08/08/2020 at 0210 hours PDT (0510 hours EDT):

- <!--[if !supportLists]--><![endif]-->FPS gave the stand down order
- <!--[if !supportLists]--><![endif]-->No additional significant incidents/injuries to report at the Federal facilities.
- <!--[if !supportLists]--><![endif]-->No arrests.
- <!--[if !supportLists]--><![endif]-->No change to path forward. CBP will maintain QRF posture.



Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 7/28/2020 2:50:10 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: 1000 hours report CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
**Attachments:** 28Jul2020 1000 4th of July Support\_.docx

(b)(7)(E) Tucson MRT.

(b)(6), (b)(7)(C)  
 Director, Special Operations Division  
 Office of Field Operations  
 U.S. Customs and Border Protection  
 Office: (b)(6), (b)(7)(C)  
 Cell: (b)(6), (b)(7)(C)



**From:** SITROOM: (b)(7)(E)  
**Sent:** Tuesday, July 28, 2020 10:07 AM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C); FERRARA, WILLIAM (b)(6), (b)(7)(C); JACKSTA, LINDA L (b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C); ORTIZ, RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C); Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C); YOUNG, EDWARD E (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); MICHELINI, DENNIS J (b)(6), (b)(7)(C); COLLINS, JAMES L.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) SEGUIN, DEBBIE W (b)(6), (b)(7)(C) CBP SITROOM- SWOS (b)(6), (b)(7)(C), (b)(7)(E) WATCH CBP INTEL (b)(7)(E) SCUDDER, KATHLEEN (b)(6), (b)(7)(C) LANDRUM, RYAN P (b)(6), (b)(7)(C) FPS IMC (b)(7)(E) CUSTER, CORY J (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC)  
 (b)(6), (b)(7)(C) Phillips, Shawn (b)(6) NOC.SWO.Restricted

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) NOC.NDD (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

'NOC.NDD' (b)(6) CBP HQ EOC EOC Director (b)(7)(E) AMOC

WATCH: (b)(6), (b)(7)(C), (b)(7)(E)

Cc: SITROOM: (b)(7)(E)

Subject: 1000 hours report CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
(b)(7)(E)

Good Morning:

Please see the attached 1000 hours report for 07/28/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** Approximately 300-400 demonstrators gathered in the downtown area. Demonstrators started fires within the perimeter of the Hatfield Courthouse, threw a single Molotov Cocktail, and shot commercial grade fireworks at the building. Several times throughout the night CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with hard objects, eggs, commercial grade fireworks, and glass bottles.

No serious injuries reported.

Arrests: 2 total arrests. CBP accounted for 1 arrest for 18 USC 111 Assault on a Federal Officer (1 CBP)

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC

- [REDACTED] BLW SOD
- [REDACTED] SOG (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] EPT CIT
- [REDACTED] ELC CIT
- [REDACTED] AMO
- [REDACTED] TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / [ (b)(7)(E) ] were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
    - Eggs.
    - Glass bottles.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 arrest.
    - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Leaf blower

All CBP personnel have been released.

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** Approximately 300-400 demonstrators gathered in the downtown area. Demonstrators started fires within the perimeter of the Hatfield Courthouse, threw a single Molotov Cocktail, and shot commercial grade fireworks at the building. Several times throughout the night CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with hard objects, eggs, commercial grade fireworks, and glass bottles.

No serious injuries reported.

Arrests: 2 total arrests. CBP accounted for 1 arrest for 18 USC 111 Assault on a Federal Officer (1 CBP)

AMO plans to have: (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs

## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile filed force situations. The additional CBPOs have: (b)(7)(E)

(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWB		New York		
HLT		Boston		
USBPHQ	San Juan			
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs



## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

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On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

#### CURRENT STATUS

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy (b)(7)(E) agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain (b)(7)(E) agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- Portland, OR (b)(7)(E) PAX: USBP SOG is providing (b)(7)(E) agents from El Paso, TX to support FPS in Portland, OR. Active
- Washington, DC (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- Seattle, WA (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE, USBP is providing (b)(7)(E) agents from the Blaine Sector (BLW) and (b)(7)(E) agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- Standby SOG RDT (b)(7)(E) PAX: USBP SOG will maintain (b)(7)(E) agents on standby in El Paso, TX, able to deploy to any location within the United States within (b)(7)(E) hours of notification via AMO (b)(7)(E) flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- Secondary Standby Team (b)(7)(E): LESC has identified (b)(7)(E) agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide (b)(7)(E) officers to assist DOI if requested. Blaine Sector has an additional (b)(7)(E) agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

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**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

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1. **Air surveillance**: CBP/AMO can offer up to (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces**: In addition to funding limitations noted last evening and authorities issues
  1. **FPS**:
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E).
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.
    3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support **off** of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
    4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
  2. **ICE**:
    1. ICE has a standby Rapid Deployment Team of (b)(7)(E) on a (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
    2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
  3. **USCG**
    1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- **Detroit, MI**: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

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**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

0005

- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity

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- U.S. District Courthouse
  - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.

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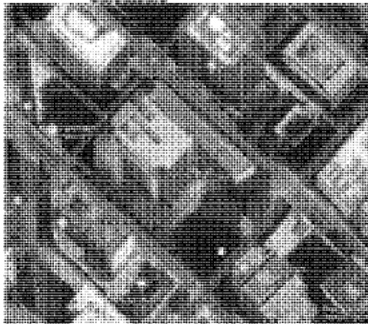
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- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff



- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400

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- (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift
  - (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
  - (b)(7)(E) Seattle (b)(7)(E) pax)
  - (b)(7)(E) Seattle (b)(7)(E) pax)
    - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
    - ICE ERO SRT located here as well
  - (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
    - PAIC
  - At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
  - No other activity reported
  - Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
  - CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E) (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

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**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
    - ~~(b)(7)(E)~~ OFO SRT officers were staged at the ~~(b)(7)(E)~~ to provide support to FPS if requested
    - Throughout the shift, an OFO ~~(b)(7)(E)~~
    - ~~(b)(7)(E)~~
    - OFO SRT received ~~(b)(7)(E)~~
    - ~~(b)(7)(E)~~ and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
    - No activity was reported throughout the shift
    - OFO SRT officers have concluded their shift
    - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.
- 

**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery

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- On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland
  - (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - USSS
  - USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
  - (b)(7)(E) mbr USBP Strategic RDT from El Paso
    - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
    - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
  - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
  - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

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0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104
  - 47°36'27.468 122° 19' 57.936
  - (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468 122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856 122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E), estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse

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- No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) minutes on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

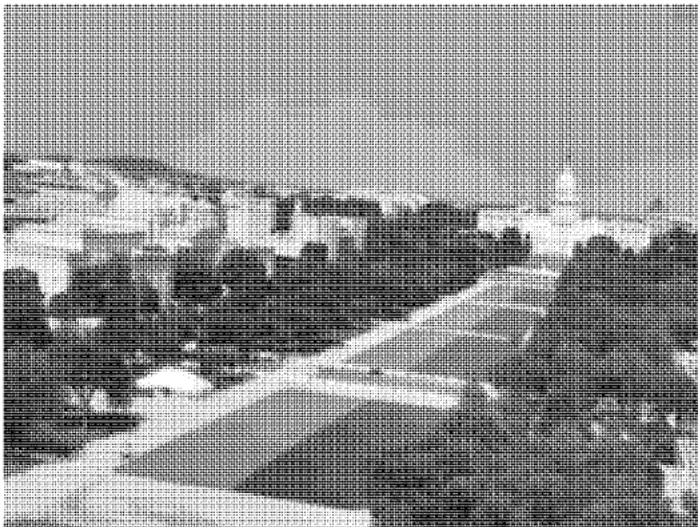
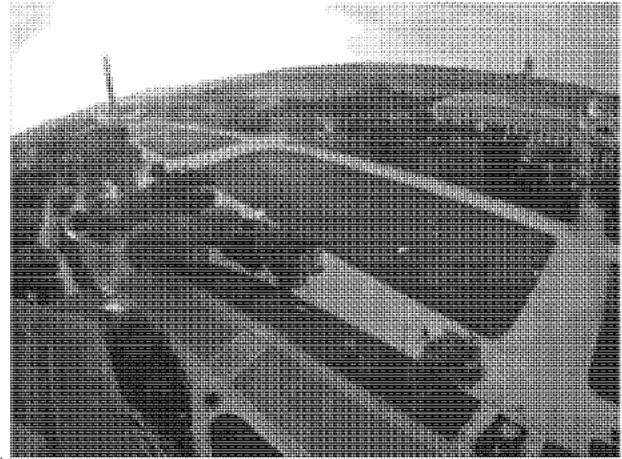
National Mall/NCR Photos as of 1620 EDT

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14th Street and Pennsylvania Ave. N.W.

10/20/2020 10:00:00 AM



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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [REDACTED] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately [REDACTED] Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

**CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all [REDACTED] SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT)

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personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.
- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel (b)(7)(E) landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team (b)(7)(E) for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.

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- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use [redacted] to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using [redacted] (b)(7)(E) and [redacted] (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.
- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.
  
- Photo of suspected IED



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**(b)(7)(E)**

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- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.

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- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS
- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

~~(b)(7)(E)~~

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all ~~(b)(7)(E)~~ forward deployed SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special ~~(b)(6), (b)(7)(C)~~ whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity of the subject. During this sweep, the recon team positively

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identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy [redacted] mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.

- Subject's name is [redacted] **(b)(6), (b)(7)(C)**  
 DOB [redacted] **(b)(6), (b)(7)(C)**  
 Subject is currently in the custody of the U.S. Marshals Service.  
 FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
 Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate [redacted] **(b)(6), (b)(7)(C)** was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed [redacted] mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

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07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide (b)(7)(E) agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

**(b)(7)(E)**

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. (b)(7)(E) and (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

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07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were

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injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video, mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

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07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209 (Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

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7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an (b)(7)(E) operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force

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(QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schrunk Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

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07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard

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objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.

- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT)

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personnel are staged at the (b)(7)(E). SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

**(b)(7)(E)**

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
  
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the

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structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

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07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] and [REDACTED]. The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law

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Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

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07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.
- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
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- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
(b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E) munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.

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- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schruck Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

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07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E). The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E).

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject: (b)(6), (b)(7)(C). Charged with attempted arson and trespassing.

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07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg; (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

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**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

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07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.
- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.

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- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 
- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.

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- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)

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- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

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07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw “Molotov Cocktails” and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another “Molotov Cocktails” (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents

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- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset [REDACTED] (b)(7)(E)  
 [REDACTED] (b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

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07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

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- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E) (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO Ground Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

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07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

**(b)(7)(E)**

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also

deployed to disperse the violent crowd.

07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

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07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

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07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires

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in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response

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to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

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07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing [redacted] (b)(7)(E)
- [redacted] (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: [redacted] CBP Personnel**

- [redacted] SDC/SOD [redacted] BORTAC [redacted] BORSTAR, [redacted] (b)(7)(E) Agents, [redacted] BPA UoF)
- [redacted] YUM/SOD [redacted] BORTAC, [redacted] BORSTAR, [redacted] (b)(7)(E) Agents)
- [redacted] SOG (Command and Control)
- [redacted] SOG Support Personnel
- [redacted] BLW SOD
- [redacted] SOG [redacted] (b)(7)(E)
- [redacted] USBP HQ
- [redacted] CBP OPA
- [redacted] OFO SRT
- [redacted] CBP OPR
- [redacted] CBP OTD
- [redacted] AMO [redacted] Permanent / [redacted] (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- [REDACTED] SOG Support Personnel
- [REDACTED] BLW SOD
- [REDACTED] SOG (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness [REDACTED] (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [REDACTED] (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions [REDACTED] (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

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07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large “Molotov Cocktail” over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject’s sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.

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**U.S. Customs and Border Protection**  
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**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- Arrests: CBP accounted for 1 of the 9 arrests.
  - 1 - 41 CFR 102-74.385 Failure to Comply
  - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Bottles of urine
  - Spike strips
  - Pump sprayers with unknown liquid
  - Commercial grade fireworks
  - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)  
(b)(7)(E)

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 28, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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Federal, State, And Local Requests For Assistance**

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs

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- [REDACTED] TCA MRT arrived.

AMO plans to have [REDACTED] (b)(7)(E) coverage throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/27/20: [REDACTED] CBP Personnel**

- [REDACTED] YUM/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] (b)(7)(E)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG BTC
- [REDACTED] SOG BST
- [REDACTED] SOG Support Personnel
- [REDACTED] EPT BTC
- [REDACTED] BLW SOD
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] EPT CIT
- [REDACTED] ELC CIT
- [REDACTED] AMO
- [REDACTED] TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness [REDACTED] (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 28, 2020, 1000hrs

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions [ (b)(7)(E) ] were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions [ (b)(7)(E) ] were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 28, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 7/29/2020 3:05:00 PM  
**To:** SABATINO, DIANE J; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)  
**Subject:** FW: 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
**Attachments:** 29Jul2020 1000 4th of July Support\_.docx

Ma'am,

Not sure if you are on the reporting yet or not, but below is the closeout from last night. Manpower immediately below.

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

(b)(6), (b)(7)(C)  
Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



**From:** SITROOM (b)(7)(E)  
**Sent:** Wednesday, July 29, 2020 8:48 AM  
**Cc:** SITROOM (b)(7)(E)  
**Subject:** 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
(b)(7)(E)



Good Morning:

Please see the attached 1000 hours report for 07/29/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** Approximately 500 demonstrators gathered in the downtown area. A "Wall of Moms" are positioned on the north and south side of the demonstrators. Demonstrators started fires within the perimeter of the Hatfield Courthouse and shot commercial grade fireworks at the building. Several times CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with rocks and other hard objects, commercial grade fireworks, and green lasers. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd and protect agents/officers.

No serious injuries reported.

Arrests: 3 total arrests. CBP accounted for 1 arrest for § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- SOG Command Staff
- SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given via a loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and [ (b)(7)(E) ] to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and [ (b)(7)(E) ] were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [ (b)(7)(E) ] deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [ (b)(7)(E) ].

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
**Federal, State, And Local Requests For Assistance**

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**BLUF:** Approximately 500 demonstrators gathered in the downtown area. A “Wall of Moms” are positioned on the north and south side of the demonstrators. Demonstrators started fires within the perimeter of the Hatfield Courthouse and shot commercial grade fireworks at the building. Several times CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with rocks and other hard objects, commercial grade fireworks, and green lasers. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd and protect agents/officers.

No serious injuries reported.

Arrests: 3 total arrests. CBP accounted for 1 arrest for § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E)  
(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
BDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC				
YUM				
FCA				
EPT				
BST				
DRT				
LRT				
RGV				
MIP				
BLW				
SPW				
HVM				
GFN				
DTM				
BUN				
SWB				
HLT				
USBPHQ				
<b>Total</b>				
		San Diego		
		Tucson		
		El Paso		
		Laredo		
		Houston		
		New Orleans		
		Miami/Tampa		
		Pre-Clearance (DC)		
		Atlanta		
		San Francisco		
		Seattle		
		Chicago		
		Detroit		
		Baltimore		
		Buffalo		
		New York		
		Boston		
		San Juan		
		<b>Total</b>		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within [ ] hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy (b)(7)(E) agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain (b)(7)(E) agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- Portland, OR (b)(7)(E) PAX: USBP SOG is providing [ ] agents from El Paso, TX to support FPS in Portland, OR. Active
- Washington, DC (b)(7)(E) PAX: OFO SRT is providing [ ] SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- Seattle, WA (b)(7)(E) PAX: OFO SRT is providing (b)(7)(E) SRT Officers from the Blaine POE, USBP is providing [ ] agents from the Blaine Sector (BLW) and [ ] agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- Standby SOG RDT (b)(7)(E) PAX: USBP SOG will maintain [ ] agents on standby in El Paso, TX, able to deploy to any location within the United States within [ ] hours of notification via AMO [ ] flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- Secondary Standby Team (b)(7)(E): LESC has identified [ ] agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide [ ] officers to assist DOI if requested. Blaine Sector has an additional [ ] agents identified to support FPS in Seattle if requested.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs



**U.S. Customs and Border Protection**  
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**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) with [REDACTED] (b)(7)(E) capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED].
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.
    3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support **off** of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
    4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a **non-issue** if DHS is kept to securing federal property.
  2. **ICE:**
    1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
    2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
  3. **USCG**

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1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of (b)(7)(E) BLW SOD/MFF and (b)(7)(E) SPW/MRT trained agents will be deployed to these two locations in Seattle, WA. (b)(7)(E)

(b)(7)(E) and the (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

0005

- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.

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- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.

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- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104
  - 47°36'27.468      122° 19' 57.936
  - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

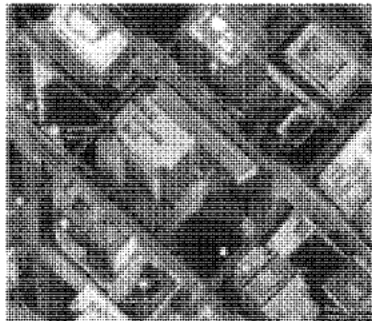


- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

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- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift
  - (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
  - (b)(7)(E) Seattle (b)(7)(E) pax)
  - (b)(7)(E) Seattle (b)(7)(E) pax)
    - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
    - (b)(7)(E) ICE ERO SRT located here as well
  - (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
    - PAIC
  - At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
  - No other activity reported
  - Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
  - CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

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**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
(b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
(b)(7)(E)
  - OFO SRT received (b)(7)(E)  
(b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.

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- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland
  - (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - USSS
  - USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
  - (b)(7)(E) mbr USBP Strategic RDT from El Paso
    - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
    - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)

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- USMS moving an extra SOG team from St. Louis to Portland (team size unk)
- FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104
  - 47°36'27.468 122° 19' 57.936
  - (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468 122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856 122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building

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- No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 1900
  - Fuel / load time in (b)(7)(E), estimated arrival time in Portland
- 1902
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 1930
  - ETA at Portland International Airport - Fixed Base Operator (FBO)
    - (b)(7)(E) hour flight time
- Additional Information regarding the SOG Deployment to Portland:
  - AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
  - Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
  - Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
    - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
  - Stand-by team is wheels up in (b)(7)(E) on (b)(7)(E) AMO (b)(7)(E) aircraft
- 2007
  - (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)
- 2013
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 2114
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity

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National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.  
180° 27' 46" W, 38° 52' 00" N

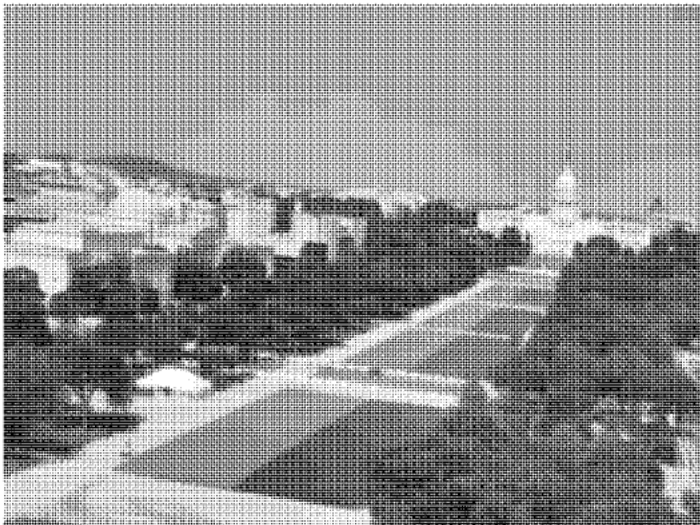


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.

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- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

**CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USBP SOG, were able to deter the protesters from advancing further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.
- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

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Photo of USBP SOG Units and United States Marshals 07/04/2020

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*

- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a [REDACTED] and [REDACTED] during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with [REDACTED] and [REDACTED] munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with [REDACTED] and [REDACTED] munitions.

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- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
  - 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
  - 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
  - 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
  - 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
  - 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
  - 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.
  - 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.
- 
- Photo of suspected IED

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**(b)(7)(E)**

- 
- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The **(b)(7)(E)** SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all **(b)(7)(E)** forward deployed USBP SOG personnel reported to the **(b)(7)(E)** located at **(b)(7)(E)**. The SOG team conducted an operations brief and are pre-staged at the **(b)(7)(E)** along with **(b)(7)(E)** Federal Protective Service (FPS) Officers, **(b)(7)(E)** U.S. Marshal Special Operations Group (MSOG) personnel and **(b)(7)(E)** Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.

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- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E), WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS
- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity of the subject. During this sweep, the recon team positively

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identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy [redacted] mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.

- Subject's name is [redacted] (b)(6), (b)(7)(C)  
DOB [redacted] (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate [redacted] (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed [redacted] mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

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07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [redacted] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [redacted] forward deployed SOG personnel reported to the [redacted] (b)(7)(E) located at [redacted] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [redacted] (b)(7)(E) along with [redacted] Federal Protective Service (FPS) Officers, [redacted] U.S. Marshal Special Operations Group (MSOG) personnel and [redacted] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[redacted] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [redacted] (b)(7)(E) and [redacted] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

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07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were

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injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video, mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

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07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) Building. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209 (Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

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7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force

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(QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the “Chinook Land Autonomous Territory” “CLOT”. Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schrunk Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

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07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard

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objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.

- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

#### **PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV. (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

#### **CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT)

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personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the

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structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

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07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the: (b)(7)(E) and (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law

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Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

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07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.
- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
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- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal [REDACTED] (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal [REDACTED] (b)(7)(E) munitions casings, at the agents and assaulted the agents with green lasers. Less lethal [REDACTED] (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.

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- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

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07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) back towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

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07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg [REDACTED] (b)(7)(E)

**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD [REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT

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**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

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07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.
- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.

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- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 
- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.

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- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)

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- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew [REDACTED] (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

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07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD ((b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) YUM/SOD ((b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)

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- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

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07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

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- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E) (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

#### **CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

#### **CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- CBP OTD
- AMO Ground / Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

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07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E)

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also

deployed to disperse the violent crowd.

07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Six FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

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**U.S. Customs and Border Protection**  
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**CBP Is Standing By And Ready To Support**  
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07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] SDC/SOD ([REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] Agents, [REDACTED] BPA UoF)
- [REDACTED] YUM/SOD ([REDACTED] BORTAC [REDACTED] BORSTAR, [REDACTED] Agents)
- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG [REDACTED] (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] CBP OTD
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

#### TRAINING and CROSS DESIGNATION

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

#### CBP Portland Team Sit Rep 7/25/20 to 7/26/20:

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

#### CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

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07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires

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in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response

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to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)

(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

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07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E) Admin

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness via (b)(7)(E).

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

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07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.

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- Arrests: CBP accounted for 1 of the 9 arrests.
  - 1 - 41 CFR 102-74.385 Failure to Comply
  - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Bottles of urine
  - Spike strips
  - Pump sprayers with unknown liquid
  - Commercial grade fireworks
  - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
  - OFO SRT will continue to augment federal forces in Portland.
  - FPS will repair and re-install fencing around the Hatfield Courthouse.
  - FPS is providing (b)(7)(E)
- (b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/27/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E) (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

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**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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**Federal, State, And Local Requests For Assistance**

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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Federal, State, And Local Requests For Assistance**

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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Federal, State, And Local Requests For Assistance**

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and [ (b)(7)(E) ] to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and [ (b)(7)(E) ] were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 29, 2020, 1000hrs



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [ (b)(7)(E) ] deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [ (b)(7)(E) ]

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 7/29/2020 3:09:42 PM

**To:** SITROOM (b)(7)(E)

**Subject:** FW: 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)

**Attachments:** 29Jul2020 1000 4th of July Support\_.docx

SITROOM (b)(7)(E)

Can we please make sure that Deputy Executive Assistant Commissioner Diane Sabatino is added to the civil unrest distro list?

(b)(6), (b)(7)(C)

Director, Special Operations Division  
 Office of Field Operations  
 U.S. Customs and Border Protection  
 Office: (b)(6), (b)(7)(C)  
 Cell: (b)(6), (b)(7)(C)



**From:** SITROOM (b)(7)(E)

**Sent:** Wednesday, July 29, 2020 8:48 AM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C); FERRARA, WILLIAM (b)(6), (b)(7)(C); JACKSTA, LINDA L (b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C); ORTIZ, RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C); Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C); YOUNG, EDWARD E (b)(6), (b)(7)(C); BOYER, STEPHEN A (b)(6), (b)(7)(C); MICHELINI, DENNIS J (b)(6), (b)(7)(C); COLLINS, JAMES L.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) SEGUIN, DEBBIE W (b)(6), (b)(7)(C) CBP  
 SITROOM- SWOS (b)(6), (b)(7)(C), (b)(7)(E) WATCH  
 CBP INTEL (b)(7)(E) SCUDDER, KATHLEEN (b)(6), (b)(7)(C) LANDRUM, RYAN P (b)(6), (b)(7)(C) FPS IMC (b)(7)(E) CUSTER, CORY J  
 (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC)  
 (b)(6), (b)(7)(C) Phillips, Shawn (b)(6) NOC.SWO.Restricted

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) 'NOC.NDD' (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

'NOC.NDD' (b)(6) CBP HQ EOC EOC Director (b)(7)(E) AMOC  
WATCH (b)(6), (b)(7)(C), (b)(7)(E)

Cc: SITROOM (b)(7)(E)

Subject: 1000 hours report CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
(b)(7)(E)

Good Morning:

Please see the attached 1000 hours report for 07/29/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** Approximately 500 demonstrators gathered in the downtown area. A "Wall of Moms" are positioned on the north and south side of the demonstrators. Demonstrators started fires within the perimeter of the Hatfield Courthouse and shot commercial grade fireworks at the building. Several times CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with rocks and other hard objects, commercial grade fireworks, and green lasers. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd and protect agents/officers.

No serious injuries reported.

Arrests: 3 total arrests. CBP accounted for 1 arrest for § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- [REDACTED] SOG Command Staff
- [REDACTED] SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

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07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

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07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

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07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and [REDACTED] were utilized to disperse the crowd and remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [REDACTED] deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [REDACTED]

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** Approximately 500 demonstrators gathered in the downtown area. A “Wall of Moms” are positioned on the north and south side of the demonstrators. Demonstrators started fires within the perimeter of the Hatfield Courthouse and shot commercial grade fireworks at the building. Several times CBP and federal partner teams deployed outside to extinguish fires and move demonstrators outside the perimeter. Officers and agents were assaulted with rocks and other hard objects, commercial grade fireworks, and green lasers. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd and protect agents/officers.

No serious injuries reported.

Arrests: 3 total arrests. CBP accounted for 1 arrest for § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 29, 2020, 1000hrs

## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

### CBP Is Standing By And Ready To Support Federal, State, And Local Requests For Assistance

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E)  
(b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
BDC	(b)(7)(E)	Los Angeles	(b)(7)(E)	
ELC				
YUM				
FCA				
EPT				
BST				
DRT				
LRT				
RGV				
MIP				
BLW				
SPW				
HVM				
GFN				
DTM				
BUN				
SWB				
HLT				
USBPHQ				
<b>Total</b>				

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 29, 2020, 1000hrs



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200. [REDACTED] on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that [REDACTED] QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within [REDACTED] hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy [REDACTED] agents/officers** to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain [REDACTED] agents/officers in standby** through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR [REDACTED] PAX**: USBP SOG is providing [REDACTED] agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC [REDACTED] PAX**: OFO SRT is providing [REDACTED] SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA [REDACTED] PAX**: OFO SRT is providing [REDACTED] SRT Officers from the Blaine POE, USBP is providing [REDACTED] agents from the Blaine Sector (BLW) and [REDACTED] agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT [REDACTED] PAX**: USBP SOG will maintain [REDACTED] agents on standby in El Paso, TX, able to deploy to any location within the United States within [REDACTED] hours of notification via AMO [REDACTED] flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team [REDACTED]**: LESC has identified [REDACTED] agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide [REDACTED] officers to assist DOI if requested. Blaine Sector has an additional [REDACTED] agents identified to support FPS in Seattle if requested.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Seattle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

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**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) with [REDACTED] (b)(7)(E) capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED] (b)(7)(E).
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.
    3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support **off** of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
    4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
  2. **ICE:**
    1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
    2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
  3. **USCG**

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1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

0005

- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.

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- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.

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- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104
  - 47°36'27.468      122° 19' 57.936
  - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff



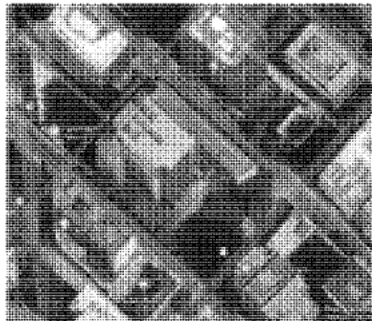
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

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- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift
  - (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
  - (b)(7)(E) Seattle (b)(7)(E) pax)
  - (b)(7)(E) Seattle (b)(7)(E) pax)
    - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
    - ICE ERO SRT located here as well
  - (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
    - PAIC
  - At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
  - No other activity reported
  - Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
  - CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

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**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)  
(b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)  
(b)(7)(E)
  - OFO SRT received (b)(7)(E)  
(b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.

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- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland
  - (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
  - (b)(7)(E) mbr USBP Strategic RDT from El Paso
    - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
    - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)

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- USMS moving an extra SOG team from St. Louis to Portland (team size unk)
- FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104
  - 47°36'27.468 122° 19' 57.936
  - (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468 122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856 122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building

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- No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 1900
  - Fuel / load time in (b)(7)(E), estimated arrival time in Portland
- 1902
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 1930
  - ETA at Portland International Airport - Fixed Base Operator (FBO)
    - (b)(7)(E) hour flight time
- Additional Information regarding the SOG Deployment to Portland:
  - AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
  - Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
  - Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
    - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
  - Stand-by team is wheels up in (b)(7)(E) on two AMO (b)(7)(E) aircraft
- 2007
  - (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)
- 2013
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 2114
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity

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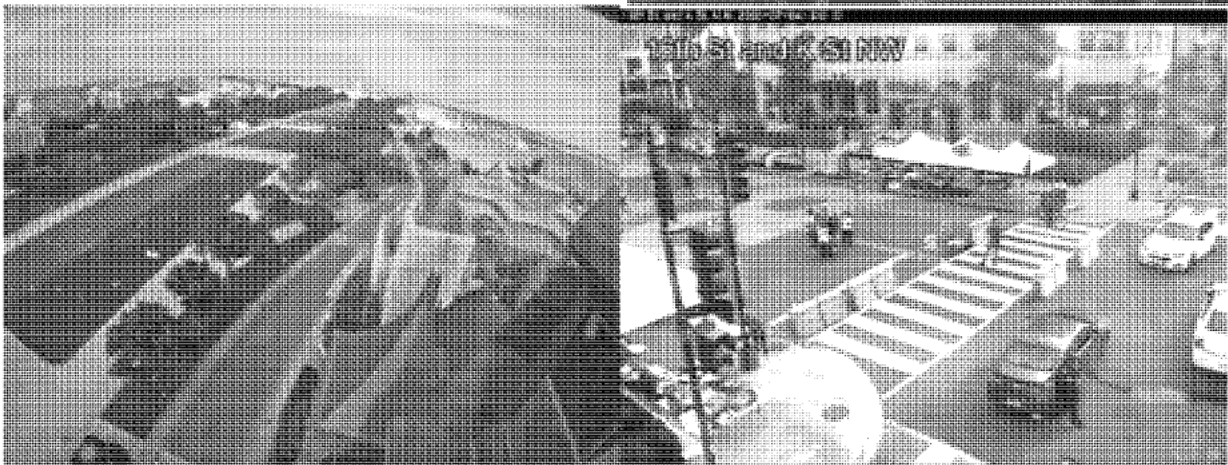
## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.  
180° 27' 48" W, 38° 52' 00" N

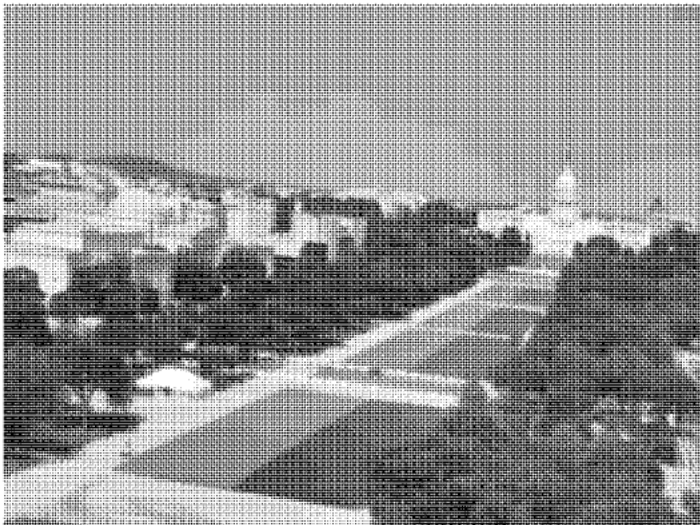


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.

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- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

**CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USBP SOG, were able to deter the protesters from advancing further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.
- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

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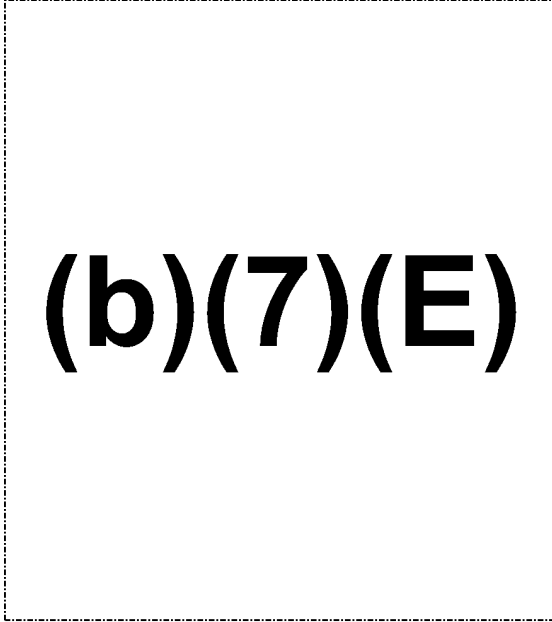
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Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*

- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a [REDACTED] and [REDACTED] during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with [REDACTED] and [REDACTED] munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with [REDACTED] and [REDACTED] munitions.

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- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
  - 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
  - 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
  - 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
  - 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
  - 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
  - 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.
  - 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.
- 
- Photo of suspected IED



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**(b)(7)(E)**

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- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.

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- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS
- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

~~(b)(7)(E)~~

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all ~~(b)(7)(E)~~ forward deployed SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent ~~(b)(6), (b)(7)(C)~~ whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity of the subject. During this sweep, the recon team positively

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identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy [redacted] mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.

- Subject's name is [redacted] **(b)(6), (b)(7)(C)**  
DOB [redacted] **(b)(6), (b)(7)(C)**  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate [redacted] **(b)(6), (b)(7)(C)** was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed [redacted] mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

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07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [redacted] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [redacted] forward deployed SOG personnel reported to the [redacted] (b)(7)(E) located at [redacted] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [redacted] (b)(7)(E) along with [redacted] Federal Protective Service (FPS) Officers, [redacted] U.S. Marshal Special Operations Group (MSOG) personnel and [redacted] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[redacted] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [redacted] (b)(7)(E) and [redacted] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

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07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were

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injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

#### **PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two days to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

#### **CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E). Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video, mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

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07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the Edith Green Federal Building along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209 (Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

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7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force

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(QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the “Chinook Land Autonomous Territory” “CLOT”. Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schrunk Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

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07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard

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objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.

- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV. (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT)

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personnel are staged at the Edith Green Federal Building. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the

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structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

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07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law

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Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

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07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.
- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
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- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
(b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E) munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.

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- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

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07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunists was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) back towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.  
\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke (b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

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07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

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**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

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07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.
- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.

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- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 
- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.

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- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)

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- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew: [REDACTED] (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

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07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw “Molotov Cocktails” and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another “Molotov Cocktails” (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)

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- [REDACTED] SOG (Command and Control)
- [REDACTED] SOG (b)(7)(E)
- [REDACTED] USBP HQ
- [REDACTED] CBP OPA
- [REDACTED] OFO SRT
- [REDACTED] CBP OPR
- [REDACTED] AMO [REDACTED] Ground [REDACTED] Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

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07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

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- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - |  |
|--|
| (b)(7)(E)  |
| (b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily. |

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- ~~(b)(7)(E)~~ SOG ~~(b)(7)(E)~~
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ CBP OTD
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Ground / ~~(b)(7)(E)~~ Air Crew ~~(b)(7)(E)~~

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / ~~(b)(7)(E)~~ were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is ~~(b)(7)(E)~~

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / ~~(b)(7)(E)~~ in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

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07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

**(b)(7)(E)**

no

further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Six FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

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07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

#### TRAINING and CROSS DESIGNATION

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

#### CBP Portland Team Sit Rep 7/25/20 to 7/26/20:

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

#### CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO Ground / (b)(7)(E) Air Crew (b)(7)(E)

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07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E)  
[REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires

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in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response

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to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E)  
(b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about 3/4 miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

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07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

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- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)

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- ~~(b)(7)(E)~~ SOG Support Personnel
- ~~(b)(7)(E)~~ BLW SOD
- ~~(b)(7)(E)~~ SOG ~~(b)(7)(E)~~
- ~~(b)(7)(E)~~ USBP HQ
- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ CBP OTD
- ~~(b)(7)(E)~~ AMO ~~(b)(7)(E)~~ Permanent / ~~(b)(7)(E)~~

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness via Big Pipe.

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions ~~(b)(7)(E)~~ were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions ~~(b)(7)(E)~~ were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

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07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 29, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- Arrests: CBP accounted for 1 of the 9 arrests.
  - 1 - 41 CFR 102-74.385 Failure to Comply
  - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Bottles of urine
  - Spike strips
  - Pump sprayers with unknown liquid
  - Commercial grade fireworks
  - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM (b)(7)(E)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: July 29, 2020, 1000hrs

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a "Molotov Cocktail" inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

Office: CBP SITROOM- Senior Watch Officer

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

Office: CBP SITROOM- Senior Watch Officer

Updated: July 29, 2020, 1000hrs

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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Updated: July 29, 2020, 1000hrs

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

Message

From:	SITROOM: (b)(7)(E)	
	(b)(7)(E)	
Sent:	7/30/2020 2:03:48 PM	
To:	SABATINO, DIANE J (b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)	AMOC WATCH
	(b)(6), (b)(7)(C), (b)(7)(E)	
	(b)(6), (b)(7)(C)	BOYER, STEPHEN A
	(b)(6), (b)(7)(C)	BP INTEL FIELD PAICs-
DPAICs:	(b)(7)(E)	
	(b)(7)(E)	BPHQG2
	(b)(6), (b)(7)(C), (b)(7)(E)	
	(b)(6), (b)(7)(C), (b)(7)(E)	CBP HQ EOC EOC
		CBP SITROOM- SWOS
	(b)(6), (b)(7)(C), (b)(7)(E)	
	(b)(6), (b)(7)(C)	CUSTER, CORY J
	(b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)	FERRARA, WILLIAM
	(b)(6), (b)(7)(C)	FORET, VERNON T
		FPS IMC
	(b)(6), (b)(7)(C), (b)(7)(E)	
	(b)(6), (b)(7)(C)	JACKSTA, LINDA L
	(b)(6), (b)(7)(C)	

(OCC)	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	
	<b>(b)(6), (b)(7)(C)</b>	
	(b)(6), (b)(7)(C)	MICHELINI, DENNIS J
	<b>(b)(6), (b)(7)(C)</b>	
(CTR)	(b)(6), (b)(7)(C)	MORGAN, MARK A
	<b>(b)(6), (b)(7)(C)</b>	
	(b)(6), (b)(7)(C)	'NOC.NDD'
	(b)(7)(E)	NTC-CND Managers
	<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>	
	(b)(6), (b)(7)(C)	ORTIZ, RAUL L ; Owen, Todd C (EAC
(OFO)	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)	PEREZ, ROBERT E
	<b>(b)(6), (b)(7)(C)</b>	
	(b)(6), (b)(7)(C)	PORVAZNIK, ANTHONY J
	<b>(b)(6), (b)(7)(C)</b>	
	(b)(6), (b)(7)(C)	SABATINO, DIANE J
	<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>	
	(b)(6), (b)(7)(C), (b)(7)(E)	SCOTT, RODNEY S
	(b)(6), (b)(7)(C), (b)(7)(E)	SCUDDER, KATHLEEN
	(b)(6), (b)(7)(C), (b)(7)(E)	SEGUIN, DEBBIE W SITROOM
	<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>	

(b)(6), (b)(7)(C)	USBP-NTC Managers
(b)(6), (b)(7)(C), (b)(7)(E)	
(b)(6), (b)(7)(C)	WATCH CBP INTEL
(b)(7)(E)	YOUNG, EDWARD E.
<b>(b)(6), (b)(7)(C)</b>	

CC: SITROOM (b)(7)(E)  
 (b)(7)(E)

Subject: 30 July 2020 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (b)(7)(E)  
 (b)(7)(E)

Attachments: 30Jul2020 1000 4th of July Support\_.docx

Good Morning:

Please see the attached 1000 hours report for 07/30/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** (b)(7)(E) CBP Law Enforcement Officers (LEOs) along with (b)(7)(E) support staff (b)(7)(E) employees total) reported to Portland, Oregon for the 27<sup>th</sup> night of law enforcement support. A group of approximately 200 gathered in front of the federal property. Violent persons were spotted with tools such as hacksaws were attempting to damage or dismantle the perimeter fence. Less lethal (b)(7)(E) munitions were deployed to disperse the unruly mob. CBP LEOs effected one arrest for assault and the subject was turned over to FPS. No reported employee injuries, all personnel have been released.

The posture for tonight is changing and CBP LEOs will be standing by at a location to be determined.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/29/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

Newly arrived personnel:

- [REDACTED] SOG BTC
- [REDACTED] EPT SOD
- [REDACTED] DRT SOD
- [REDACTED] SDC MRT
- [REDACTED] AMO

AMO plans to have [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lownsdale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED] (b)(7)(E)

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/[REDACTED] (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/[REDACTED] (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO

- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**(b)(6), (b)(7)(C)**

NREMT

Chief - Senior Watch Officer

HQ - Washington, DC

Desk: **(b)(6), (b)(7)(C)**

Mobile: **(b)(6), (b)(7)(C)**

JWICS: **(b)(6), (b)(7)(C)**

UNCLASS: **(b)(6), (b)(7)(C)**



U.S. Customs and  
Border Protection





**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** [redacted] CBP Law Enforcement Officers (LEOs) along with [redacted] support staff ([redacted] employees total) reported to Portland, Oregon for the 27<sup>th</sup> night of law enforcement support. A group of approximately 200 gathered in front of the federal property. Violent persons were spotted with tools such as hacksaws were attempting to damage or dismantle the perimeter fence. Less lethal [(b)(7)(E)] munitions were deployed to disperse the unruly mob. CBP LEOs effected one arrest for assault and TOT the subject to FPS. No reported employee injuries, all personnel have been released. The posture for tonight is changing and CBP LEOs will be standing by at a location to be determined.

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have [(b)(7)(E)]  
[redacted] (b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over [redacted] CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
**Federal, State, And Local Requests For Assistance**

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (b)(7)(E) PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (b)(7)(E) PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (b)(7)(E) PAX): OFO SRT is providing (b)(7)(E) Officers from the Blaine POE , USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (b)(7)(E) PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** (b)(7)(E): LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E)
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Settle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional (b)(7)(E) CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all [REDACTED] CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the [REDACTED] (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the [REDACTED] (b)(7)(E) and the second team will be in the [REDACTED] (b)(7)(E). [REDACTED] (b)(7)(E) SUAS will provide [REDACTED] (b)(7)(E) from the [REDACTED] (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF:** At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance:** CBP/AMO can offer up [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) with [REDACTED] (b)(7)(E) capability. It will take these aircraft approximately [REDACTED] hours to get on scene from initial request (about [REDACTED] hours for pre-flight preps and about [REDACTED] hours flight time to St. Louis).
2. **Ground Forces:** In addition to funding limitations noted last evening and authorities issues
  1. **FPS:**
    1. Inside St. Louis, FPS will have [REDACTED] District Commander, [REDACTED] Area Commanders and [REDACTED] officers (total [REDACTED]). Within a [REDACTED] hour radius of St. Louis, FPS could call in an additional [REDACTED] officers for a maximum of [REDACTED].
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] (b)(7)(E) at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. USCG
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

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0005

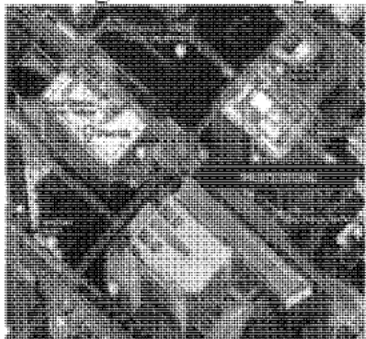
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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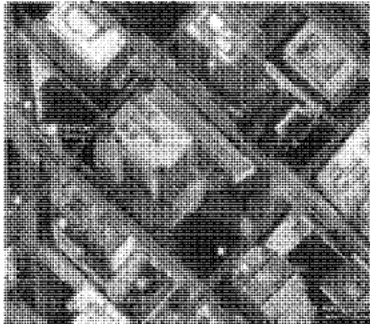
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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)
- (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)
  - (b)(7)(E)
  - OFO SRT received (b)(7)(E)
  - (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the El Paso International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

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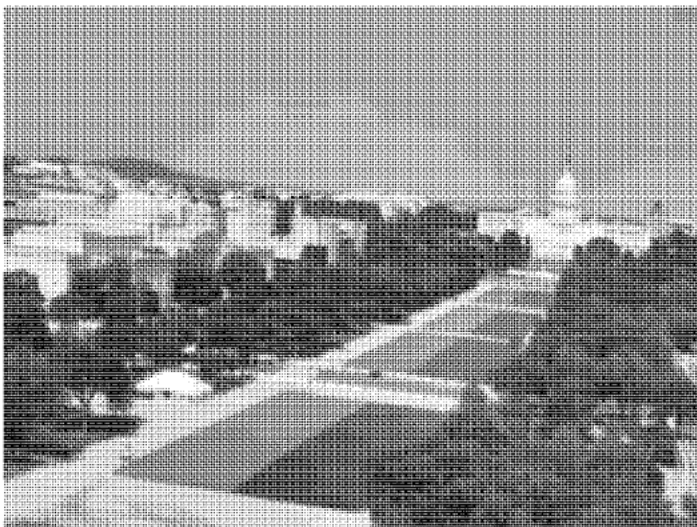


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [REDACTED] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately (b)(7)(E) Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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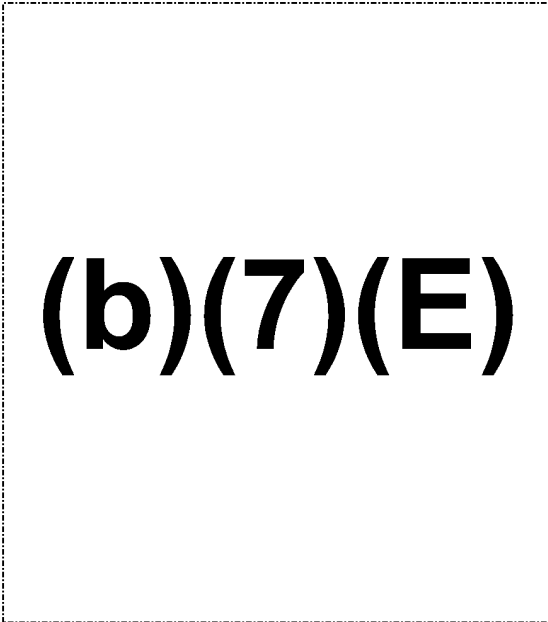
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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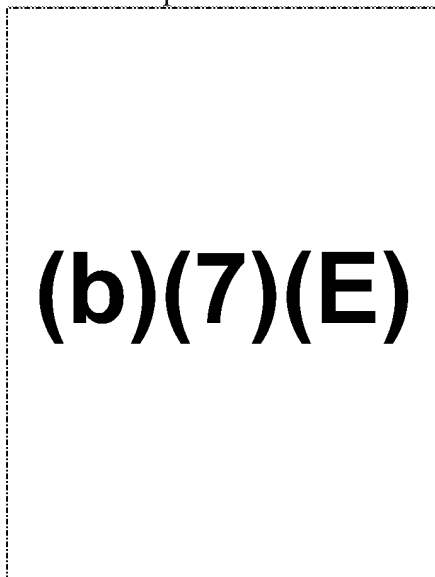
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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED



- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The ~~(b)(7)(E)~~ SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all ~~(b)(7)(E)~~ forward deployed USBP SOG personnel reported to the ~~(b)(7)(E)~~ located at ~~(b)(7)(E)~~. The SOG team conducted an operations brief and are pre-staged at the ~~(b)(7)(E)~~ along with ~~(b)(7)(E)~~ Federal Protective Service (FPS) Officers, ~~(b)(7)(E)~~ U.S. Marshal Special Operations Group (MSOG) personnel and ~~(b)(7)(E)~~ Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lowndale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lowndale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
 DOB (b)(6), (b)(7)(C)  
 Subject is currently in the custody of the U.S. Marshals Service.  
 FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
 Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [REDACTED] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [REDACTED] forward deployed SOG personnel reported to the [REDACTED] (b)(7)(E) located at [REDACTED] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [REDACTED] (b)(7)(E) along with [REDACTED] Federal Protective Service (FPS) Officers, [REDACTED] U.S. Marshal Special Operations Group (MSOG) personnel and [REDACTED] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[REDACTED] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). [REDACTED] Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV, (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

**PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

**CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)  
**(b)(7)(E)**
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
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**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject: (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground / (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schunk Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO: (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** **CBP Personnel**

- SDC/SOD (b)(7)(E) BORTAC, BORSTAR, (b)(7)(E) Agents
- YUM/SOD (b)(7)(E) BORTAC, BORSTAR, (b)(7)(E) Agents
- SOG (Command and Control)
- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- OFO SRT
- CBP OPR
- AMO Ground / Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset

(b)(7)(E)

(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20: CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents (b)(7)(E) BPA UoF
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents
- SOG (Command and Control)
- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- (b)(7)(E) OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E) no further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of (b)(7)(E)

(b)(7)(E) The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- [REDACTED] AMO [REDACTED] Ground / [REDACTED] Air Crew [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20: [REDACTED] CBP Personnel**

- [REDACTED] USBP/BLW
- [REDACTED] OFO SRT
  - [REDACTED] Laredo SRT
  - [REDACTED] Los Angeles SRT
  - [REDACTED] San Francisco SRT
  - [REDACTED] Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD ([REDACTED] PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents)
- Special Operations Group ([REDACTED] PAX): Command and Control for CBP operations
- USBP HQ ([REDACTED] PAX): Liaison coordination
- OFO/SRT ([REDACTED] PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD ([REDACTED] PAX): [REDACTED] CBP YUM/SOD ([REDACTED] BORTAC, [REDACTED] BORSTAR, [REDACTED] (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have [REDACTED] (b)(7)(E) throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/25/20:** [REDACTED] **CBP Personnel**

- [REDACTED] (b)(7)(E) SDC/SOD [REDACTED] (b)(7)(E) BORTAC, [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents, [REDACTED] (b)(7)(E) BPA UoF)
- [REDACTED] (b)(7)(E) YUM/SOD [REDACTED] (b)(7)(E) BORTAC, [REDACTED] (b)(7)(E) BORSTAR, [REDACTED] (b)(7)(E) Agents)
- [REDACTED] (b)(7)(E) SOG (Command and Control)
- [REDACTED] (b)(7)(E) SOG [REDACTED] (b)(7)(E)
- [REDACTED] (b)(7)(E) USBP HQ
- [REDACTED] (b)(7)(E) CBP OPA
- [REDACTED] (b)(7)(E) OFO SRT
- [REDACTED] (b)(7)(E) CBP OPR
- [REDACTED] (b)(7)(E) CBP OTD
- [REDACTED] (b)(7)(E) AMO [REDACTED] (b)(7)(E) Ground [REDACTED] (b)(7)(E) Air Crew [REDACTED] (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset [REDACTED] (b)(7)(E)  
 [REDACTED] (b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal [REDACTED] (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition [REDACTED] (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions (b)(7)(E).

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

**CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) (b)(7)(E) and the (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E) (b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- SOG (b)(7)(E)
- USBP HQ
- CBP OPA
- (b)(7)(E) OFO SRT
- CBP OPR
- CBP OTD
- AMO (b)(7)(E) Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)

(b)(7)(E)

Office: CBP SITROOM- Senior Watch Officer  
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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

Office: CBP SITROOM- Senior Watch Officer

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer  
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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- ~~(b)(7)(E)~~ CBP OPA
- ~~(b)(7)(E)~~ OFO SRT
- ~~(b)(7)(E)~~ CBP OPR
- ~~(b)(7)(E)~~ EPT CIT
- ~~(b)(7)(E)~~ ELC CIT
- ~~(b)(7)(E)~~ AMO
- ~~(b)(7)(E)~~ TCA MRT
- ~~(b)(7)(E)~~ SOG Command
- ~~(b)(7)(E)~~ SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and [REDACTED] (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and [REDACTED] (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [REDACTED] (b)(7)(E) and [REDACTED] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- [REDACTED] SOG BTC
- [REDACTED] EPT SOD
- [REDACTED] DRT SOD
- [REDACTED] SDC MRT
- [REDACTED] AMO

Office: CBP SITROOM- Senior Watch Officer

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AMO plans to have: [REDACTED] (b)(7)(E) coverage throughout the night from 2200-0300 tonight. [REDACTED] (b)(7)(E)

**CBP MANPOWER 7/29/20:** [REDACTED] (b)(7)(E) **CBP Personnel**

- [REDACTED] (b)(7)(E) USBP
- [REDACTED] (b)(7)(E) OFO SRT
- [REDACTED] (b)(7)(E) CBP
- [REDACTED] (b)(7)(E) AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lowndale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E)

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/[REDACTED] (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/[REDACTED] (b)(7)(E) munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

Final Update:

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

Message

**From:** STUNTZ, SHELBY (OCC); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Sent:** 10/16/2020 8:49:53 PM  
**To:**

**(b)(6), (b)(7)(C)**

**CC:** SRTHQ; (b)(7)(E)  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C)  
**(b)(6), (b)(7)(C)**

**Subject:** \*\*\*Preliminary Injunction Ordered - Portland; PLEASE READ\*\*\*  
**Attachments:** Index Newspapers v DHS - Preliminary Injunction Opinion 082020.pdf; PI Guidance - Index Newspapers.pdf

SRT Operators,

On August 20, 2020, the U.S. District Court in Oregon issued a Preliminary Injunction (PI) pertaining to DHS enforcement activities in Portland, Oregon relating to journalists and legal observers previously addressed in a Temporary Restraining Order issued on July 23, 2020 and extended on August 6, 2020. One of the terms of the PI is a requirement to provide verbatim copies of the first seven provisions of the PI to all employees, officers and agents currently assigned or

deployed in Portland, Oregon. A stay had been in place, but it has been lifted, meaning **the Preliminary Injunction is in effect and must be followed.**

The attached **PRELIMINARY INJUNCTION** is a verbatim copy of sections one through seven of the PI (pages 58-61) and CBP personnel either in or deployed to Portland, Oregon are required to read the seven sections. Additionally, the attached **PI Guidance** is provided for operational meaning for each section of the PI.

**FAILURE TO COMPLY WITH PRELIMINARY INJUNCTION: Failure to comply with the restrictions set forth in the Preliminary Injunction may result in the United States, or you personally, being held in Contempt of Court. A finding of Contempt of Court can result in civil or criminal penalties, to include monetary fines or incarceration.**

Please let us know if you have any questions or if you would like further explanation regarding the requirements of the PI. Also, if you believe you have received this message in error because you are not currently on deployment in Portland, Oregon or supervising the operations of deployed Officers and Agents in Portland, Oregon, please let me know that you have received this email in error. Thank you.

Shelby Stuntz  
Deputy Associate Chief Counsel, LA  
Office of Chief Counsel, US CBP

(b)(6), (b)(7)(C) (direct)

(b)(6), (b)(7)(C) (office)

(b)(6), (b)(7)(C) (cell)

~~**ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT**—This communication might contain communications—  
between attorney and client, communications that are part of the agency deliberative process, or attorney work—  
product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with—  
the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this  
email. If you are not the intended recipient of this transmission, please notify the sender immediately.~~



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**INDEX NEWSPAPERS LLC d/b/a  
PORTLAND MERCURY; DOUG  
BROWN; BRIAN CONLEY; SAM  
GEHRKE; MATHIEU LEWIS-ROLLAND;  
KAT MAHONEY; SERGIO OLMOS;  
JOHN RUDOFF; ALEX MILAN TRACY;  
TUCK WOODSTOCK; JUSTIN YAU; and  
those similarly situated,**

Plaintiffs,

v.

**CITY OF PORTLAND; JOHN DOES 1-60;  
U.S. DEPARTMENT OF HOMELAND  
SECURITY; and U.S. MARSHALS  
SERVICE,**

Defendants.

Case No. 3:20-cv-1035-SI

**OPINION AND ORDER GRANTING  
PRELIMINARY INJUNCTION  
AGAINST FEDERAL DEFENDANTS**

Matthew Borden, J. Noah Hagey, Athul K. Acharya, and Gunnar K. Martz, BRAUNHAGEY & BORDEN LLP, 351 California Street, Tenth Floor, San Francisco, CA 94104; Kelly K. Simon, AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF OREGON, P.O. Box 40585, Portland, OR 97240. Of Attorneys for Plaintiffs.

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Ethan P. Davis, Acting Assistant Attorney General, Civil Division; Billy J. Williams, United States Attorney for the District of Oregon; David M. Morrell, Deputy Assistant Attorney General, Civil Division; Alexander K. Hass, Director, Federal Programs Branch; Brigham J. Bowen, Assistant Director, Federal Programs Branch; Joshua E. Gardner, Special Counsel, Federal Programs Branch; Andrew I. Warden, Senior Trial Counsel; Jeffrey A. Hall, Jordan L. Von Bokern, and Keri L. Berman, Trial Attorneys; U.S. DEPARTMENT OF JUSTICE, CIVIL DIVISION, FEDERAL PROGRAMS BRANCH, 1100 L. Street, NW, Washington, D.C. 20530. Of Attorneys for Defendants U.S. Department of Homeland Security and U.S. Marshals Service.

James L. Buchal, MURPHY & BUCHAL LLP, 3425 SE Yamhill Street, Suite 100, Portland, OR 97214. Of Attorney for *Amicus Curiae* National Police Association.

Duane A. Bosworth, DAVIS WRIGHT TREMAINE LLP, 1300 SW Fifth Avenue, Suite 2400, Portland, OR 97201; Katie Townsend, Gabe Rottman, and Adam A. Marshall, THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS, 1156 15th Street NW, Suite 1020, Washington, D.C. 20005. Of Attorneys for *Amici Curiae* Reporters Committee for Freedom of the Press and 16 News Media Organizations.

**Michael H. Simon, District Judge.**

“Open government has been a hallmark of our democracy since our nation’s founding.” *Leigh v. Salazar*, 677 F.3d 892, 897 (9th Cir. 2012). “When wrongdoing is underway, officials have great incentive to blindfold the watchful eyes of the Fourth Estate.” *Id.* at 900. “The free press is the guardian of the public interest, and the independent judiciary is the guardian of the free press.” *Id.* This lawsuit tests whether these principles are merely hollow words.

Plaintiffs Index Newspapers LLC doing business as Portland Mercury, Doug Brown, Brian Conley, Sam Gehrke, Mathieu Lewis-Rolland, Kat Mahoney, Sergio Olmos, John Rudoff, Alex Milan Tracy, Tuck Woodstock, and Justin Yau (collectively, “Plaintiffs”) bring this putative class action against: (1) the City of Portland (the “City”); (2) numerous as-of-yet unnamed individual and supervisory officers of the Portland Police Bureau (“PPB”) and other agencies allegedly working in concert with the PPB; (3) the U.S. Department of Homeland Security (“DHS”); and (4) the U.S. Marshals Service (“USMS”). The Court refers to DHS and USMS collectively as the “Federal Defendants.” Plaintiffs are journalists and authorized legal

observers. They allege violations of the First and Fourth Amendments of the United States Constitution and Article I, sections 8 and 26 of the Oregon Constitution. Plaintiffs seek declaratory and injunctive relief and money damages.

Before the Court is Plaintiffs' motion for preliminary injunction against the Federal Defendants. Plaintiffs allege that agents of the Federal Defendants from around the United States, specially deployed to Portland, Oregon to protect the federal courthouse, have repeatedly targeted and used physical force against journalists and authorized legal observers who have been documenting the daily Black Lives Matter protests in this city. These federal agents include special tactical units from U.S. Customs and Border Protection under the U.S. Department of Homeland Security ("BORTAC") and other special tactical units from the U.S. Marshals Service under the U.S. Department of Justice ("Special Operations Group" or "SOG").

Although these federal agents are highly trained in some areas of law enforcement, Plaintiffs contend that neither these agents nor their commanders have any special training or experience in civilian crowd control. Plaintiffs allege that some of these officers have intentionally targeted and used physical force and other forms of intimidation against journalists and authorized legal observers for the purpose of preventing or deterring them from observing and reporting on unreasonably aggressive treatment of lawful protesters. In response, the Federal Defendants argue that they are merely protecting the federal courthouse and its personnel from potential or actual violence and that any interference with protected First Amendment activity is merely incidental.

The Ninth Circuit has stated:

Demonstrations can be expected when the government acts in highly controversial ways, or other events occur that excite or arouse the passions of the citizenry. The more controversial the occurrence, the more likely people are to demonstrate. Some of

these demonstrations may become violent. The courts have held that the proper response to potential and actual violence is for the government to ensure an adequate police presence and to arrest those who actually engage in such conduct, rather than to suppress legitimate First Amendment conduct as a prophylactic measure.

*Collins v. Jordan*, 110 F.3d 1363, 1372 (9th Cir. 1996) (citation omitted). Here, the actions of the Federal Defendants, or at least some of their officers, prevent, deter, or otherwise chill the constitutionally protected newsgathering, documenting, and observing work of journalists and authorized legal observers, who peacefully stand or walk on city streets and sidewalks during a protest. As further explained by the Ninth Circuit in *Collins*:

It has been clearly established since time immemorial that city streets and sidewalks are public fora. Restrictions on First Amendment activities in public fora are subject to a particularly high degree of scrutiny.

*Id.* at 1371 (citations and quotation marks omitted).

The Federal Defendants also argue that Plaintiffs are seeking special protections for journalists and legal observers under the First Amendment but that journalists and legal observers are entitled to no greater rights than those afforded to the public generally. In support, the Federal Defendants cite *Branzburg v. Hayes*, 408 U.S. 665, 680-82 (1972), which held that although the First Amendment protects news gathering, it does not provide a reporter's privilege against testifying before a grand jury. In that case, the Supreme Court noted: "It has generally been held that the First Amendment does not guarantee the press a constitutional right of special access to information not available to the public generally." *Id.* at 684; *see also Cal. First Amendment Coal. v. Calderon*, 150 F.3d 976, 981 (9th Cir. 1998) (same). The Federal

Defendants argue, in essence, that Plaintiffs' requested preliminary injunction violates the traditional "nondiscrimination" interpretation of the First Amendment's Press Clause.<sup>1</sup>

At first glance, one might think that the journalists and legal observers here are seeking protection against having to comply with an otherwise lawful order to disperse from city streets after a riot has been declared, when the public generally does not have that protection. When local law enforcement lawfully declares a riot and orders people to disperse from city streets, generally they must comply or risk arrest. The question of whether journalists have any greater rights than the public generally, however, is not actually presented in the pending motion for preliminary injunction. That is because the *Federal Defendants* are not asserting that *they* have the legal authority to declare a riot and order persons to disperse from the city streets in Portland; nor does the authority they cite for their presence and actions in Portland so provide.<sup>2</sup> It is only

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<sup>1</sup> This traditional interpretation may be undergoing a reevaluation. *See, e.g.*, Sonja R. West, *Favoring the Press*, 106 CAL. L. REV. 91, 94 (2018) ("The nondiscrimination view of the Press Clause is deeply flawed for the simple reason that the press is different and has always been recognized as such."). "Barring the government from recognizing the differences between press and non-press speakers threatens to undermine the vital role of the Fourth Estate." *Id.* (footnote omitted). "It is, therefore, entirely in keeping with the text, history, and spirit of the First Amendment's Press Clause for the government to, at times, treat press speakers differently." *Id.* at 95. "Rather than lump the press together with other speakers, the Supreme Court has historically done just the opposite." *Id.*

<sup>2</sup> The Federal Defendants cite 40 U.S.C. § 1315 and its implementing regulations. That statute authorizes DHS to "protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government." § 1315(a). The governing regulations prohibit, as relevant here: (1) disorderly conduct for persons "entering in or on Federal property," 41 C.F.R. § 102-74.390; (2) persons "entering in or on Federal property" from improperly disposing of rubbish on property, willfully damaging property, creating a hazard on property, or throwing articles at a building or climbing on any part of a building, 41 C.F.R. § 102-74.380; and (3) requiring that "[p]ersons in and on property" must obey "the lawful direction of federal police officers and other authorized individuals." 41 C.F.R. § 102-74.385. This latter regulation, although not specifically stating on "federal" property, has been construed as including this requirement, that the persons be on federal property. *See United States v. Baldwin*, 745 F.3d 1027, 1029 (10th Cir. 2014) (then-Circuit Judge, now Justice Gorsuch) ("The first says '[p]ersons in and on [Federal] property must at all times comply . . . with the lawful direction of Federal police officers and other authorized individuals.'" (alterations in original) (quoting 41

state and local law enforcement that may lawfully issue an order declaring a riot or unlawful assembly on city streets. That is simply part of a state or city's traditional police power.

Here, Plaintiffs and the City have already *stipulated* to a preliminary injunction that provides that the Portland Police will not arrest any journalist or authorized legal observer for failing to obey a lawful order to disperse. Thus, the question of whether an otherwise peaceful and law-abiding journalist or authorized legal observer has a First Amendment right not to disperse when faced with a general dispersal order issued by state or local authorities does not arise in this motion.<sup>3</sup>

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C.F.R. § 102-74.385); *see also United States v. Estrada-Iglesias*, 425 F. Supp. 3d 1265, 1270 (D. Nev. 2019). Thus, 40 U.S.C. § 1315 and its regulations give federal officers broad authority *on federal property*. They do not, however, give federal officers broad authority *off federal property*. The authority granted off federal property is limited—to perform authorized duties “outside the property to the extent necessary to protect the property and persons on the property.” § 1315(b)(1). These authorized duties include enforcing federal laws (which as relevant here are laws limited to persons on federal property), making arrests if federal crimes are committed in the presence of an officer, and conducting investigations on and off the property for crimes against the property or persons on the property. § 1315(b)(2). None of these powers include declaring a riot or an unlawful assembly on the streets of Portland, closing the streets of Portland, or otherwise dispersing people off the streets of Portland (versus dispersing people off federal property).

The Federal Defendants appear to acknowledge this limitation in their powers. DHS Operation Diligent Valor commander Gabriel Russell states in his declaration that in response to violent protests, Federal Protective Services (“FPS”) officers warned protesters to “stay off federal property,” used tear gas to “push protesters back from the [federal] courthouse,” contacted the PPB who were about to declare an unlawful assembly, the Portland Police “arrived and closed all roads in the vicinity of the facilities[,] . . . declared an unlawful assembly and began making arrests for failure to disperse,” and the FPS only “made dispersal orders on federal property and cleared persons refusing to comply with these orders.” ECF 67-1 at 2. He also testified at deposition that generally FPS does not have authority to enforce a dispersal order against an unlawful assembly on Fourth Street, one block from the federal courthouse. ECF 136-1 at 22 (63:12-18). The Federal Defendants also cite to statutes and regulations that authorize the USMS to protect federal courthouses and other federal property, including 28 U.S.C. § 566(a), 28 U.S.C. § 566(i), 28 C.F.R. § 0.111(f). As with the statutes and regulations governing DHS’s authority, these authorities focus on federal property, not on city streets or state or local property.

<sup>3</sup> Someday, a court may need to decide whether the First Amendment protects journalists and authorized legal observers, as distinct from the public generally, from having to comply with

Plaintiffs and the Federal Defendants have stipulated that an evidentiary hearing with live witness testimony is unnecessary and that the Court may base its decision on the written record and oral argument of counsel. For the reasons that follow, the Court GRANTS Plaintiffs' motion for preliminary injunction against the Federal Defendants.

### STANDARDS

A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Winter v. Nat. Res. Defense Council, Inc.*, 555 U.S. 7, 22 (2008). A plaintiff seeking a preliminary injunction generally must show that: (1) he or she is likely to succeed on the merits; (2) he or she is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in his or her favor; and (4) that an injunction is in the public interest. *Id.* at 20 (rejecting the Ninth Circuit’s earlier rule that the mere “possibility” of irreparable harm, as opposed to its likelihood, was sufficient, in some circumstances, to justify a preliminary injunction).

The Supreme Court’s decision in *Winter*, however, did not disturb the Ninth Circuit’s alternative “serious questions” test. *See All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-32 (9th Cir. 2011). Under this test, “‘serious questions going to the merits’ and a hardship balance that tips sharply toward the plaintiff can support issuance of an injunction, assuming the other two elements of the *Winter* test are also met.” *Id.* at 1132. Thus, a preliminary injunction may be granted “if there is a likelihood of irreparable injury to plaintiff; there are serious questions going to the merits; the balance of hardships tips sharply in favor of the plaintiff; and the injunction is in the public interest.” *M.R. v. Dreyfus*, 697 F.3d 706, 725 (9th Cir. 2012).

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an otherwise lawful order to disperse from city streets when journalists and legal observers seek to observe, document, and report the conduct of law enforcement personnel; but today is not that day.

## BACKGROUND

### A. Procedural History

Plaintiffs filed their original Complaint against the City on June 28, 2020. On June 30th, Plaintiffs moved for a TRO. On July 2nd, the Court entered a TRO against the City. On July 14th, Plaintiffs moved to file a Second Amended Complaint (“SAC”), adding the Federal Defendants to this lawsuit. On July 16th, the Court entered a stipulated preliminary injunction against the City. On July 17th, the Court granted Plaintiffs’ motion to file the SAC. Later that day, Plaintiffs filed their SAC and moved for a TRO against the Federal Defendants, which the City supported shortly thereafter. On July 23rd, the Court granted Plaintiffs’ motion for a TRO against the Federal Defendants, including many of the same terms contained in the TRO and stipulated preliminary injunction entered against the City. The TRO against the Federal Defendants was set to expire by its own terms on August 6th. On July 28th, Plaintiffs moved for a finding of contempt and imposition of sanctions against the Federal Defendants, alleging several violations of the Court’s TRO. On July 30th the Federal Defendants moved for reconsideration of the TRO, requesting that it be dissolved. On July 31st the Court stayed briefing on Plaintiffs’ contempt motion. On August 4th, Plaintiffs moved to extend the TRO against the Federal Defendants for an additional 14 days. On August 6th, after finding good cause, the Court granted Plaintiffs’ motion and extended the TRO against the Federal Defendants through August 20th and denied the Federal Defendants’ motion for reconsideration.

### B. Plaintiffs

Plaintiff Index Newspapers LLC doing business as Portland Mercury (“Portland Mercury”) is an alternative bi-weekly newspaper and media company. It was founded in 2000 and is based in Portland, Oregon. ECF 53, ¶ 21.



Plaintiff Doug Brown has attended many protests in Portland, first as a journalist with the *Portland Mercury* and later as a volunteer legal observer with the ACLU. He has attended the George Floyd protests on several nights, wearing a blue vest issued by the ACLU that clearly identifies him as a legal observer, for the purpose of documenting police interactions with protesters. ECF 9, ¶¶ 1-2; ECF 53, ¶¶ 22, 97; ECF 55, ¶ 2.

Plaintiff Brian Conley has been a journalist for twenty years and has trained journalists in video production across a dozen countries internationally. He founded Small World News, a documentary and media company dedicated to providing tools to journalists and citizens around the world to tell their own stories. ECF 53, ¶ 131.

Plaintiff Sam Gehrke has been a journalist for four years. He previously was on the staff of the *Willamette Week* as a contractor. He is now a freelance journalist. His work has been published in *Pitchfork*, *Rolling Stone*, *Vortex Music*, and *Eleven PDX*, a Portland music magazine. He has attended the protests in Portland for the purpose of documenting and reporting on them, and he wears a press pass from the *Willamette Week*. ECF 10, ¶¶ 1-3; ECF 53, ¶ 23.

Plaintiff Mathieu Lewis-Rolland is a freelance photographer and photojournalist who has covered the ongoing Portland protests. He has been a freelance photographer and photojournalist for three years and is a contributor to *Eleven PDX* and listed on its masthead. After the Court issued its TRO directed against the City, he began wearing a shirt that said “PRESS” in block letters on both sides. He also wears a helmet that says “PRESS” on several sides, and placed reflective tape on his camera and wrist bands. ECF 12, ¶¶ 1-2; ECF 53 ¶ 24; ECF 77, ¶ 1, 3.

Plaintiff Kat Mahoney is an independent attorney and unpaid legal observer. She has attended the Portland protests nearly every night for the purpose of documenting police

interactions with protesters. She wears a blue vest issued by the ACLU that clearly identifies her as an “ACLU LEGAL OBSERVER.” ECF 26, ¶ 3; ECF 75, ¶¶ 1-2.

Plaintiff Sergio Olmos has been a journalist since 2014, when he began covering protests in Hong Kong. He has worked for *InvestigateWest* and *Underscore Media Collaboration*, and as a freelancer. His work has been published in the *Portland Tribune*, *Willamette Week*, *Reveal: The Center for Investigative Reporting*, *Crosscut*, *The Columbian*, and *InvestigateWest*. He has attended the protests in Portland as a freelance journalist for the purpose of documenting and reporting on them. He wears a press badge and a Kevlar vest that says “PRESS” on both sides. He carries several cameras, including a film camera, in part so that it is unmistakable that he is present in a journalistic capacity as a member of the press. ECF 15, ¶¶ 1-3; ECF 53, ¶ 26.

Plaintiff John Rudoff is a photojournalist. His work has been published internationally, including reporting on the Syrian refugee crises, the “Unite the Right” events in Charlottesville, Virginia, the Paris “Yellow Vest” protests, and the Rohingya Genocide. He has attended the protests in Portland during the past two months for the purpose of documenting and reporting on them. Since this lawsuit began, he has been published in *Rolling Stone*, *The Nation*, and on the front page of the *New York Times*. While attending the Portland protests, he carries and displays around his neck press identification from the National Press Photographers Association, of which he has been a member for approximately ten years. He also wears a helmet and vest that is clearly marked “PRESS.” ECF 17, ¶¶ 1-3; ECF 53, ¶ 27; ECF 59, ¶¶ 1, 3.

Plaintiff Alex Milan Tracy is a journalist with a master’s degree in photojournalism. His photographs have been published by CNN, ABC, CBS, *People Magazine*, *Mother Jones*, and *Slate*, among others. He has covered many of the recent protests in Portland over George Floyd

and police brutality. He carries a press badge and three cameras, and wears a helmet that is marked “PRESS” on the front and back. ECF 60, ¶¶ 1, 3.

Plaintiff Tuck Woodstock has been a journalist for seven years. Their work has been published in the *Washington Post*, *NPR*, *Portland Monthly*, *Travel Portland*, and the *Portland Mercury*. They have attended the George Floyd protests several times as a freelancer for the *Portland Mercury* and more times as an independent journalist. When they attended these protests, they wear a press pass from the *Portland Mercury* that states “MEDIA” in large block letters and a helmet that is marked “PRESS” on three sides. At all times during police-ordered dispersals, they hold a media badge over their head. ECF 23, ¶¶ 2-3; ECF 76, ¶¶ 1, 3.

Plaintiff Justin Yau is a student at the University of Portland studying communications with a focus on journalism. He previously served in the U.S. Army, where he was deployed to the Middle East. He has covered protests in Hong Kong and Portland. His work has been published in the *Daily Mail*, *Reuters*, *Yahoo! News*, *The Sun*, *Spectee* (a Japanese news outlet), and *msn.com*. He has attended the protests in Portland as a freelance and independent journalist for the purpose of documenting and reporting on them. He wears a neon yellow vest marked with reflective tape and a helmet that are marked “PRESS,” and carries his press pass around his neck. He carries a large camera, a camera gimbal (a device that allows a camera to smoothly rotate), and his cellphone for recording. ECF 56, ¶¶ 1-3.

### **C. Plaintiffs’ Alleged Harm**

Plaintiffs and other declarants have provided numerous declarations describing events in which they assert that employees, agents, or officers of the Federal Defendants targeted journalists and legal observers and interfered with their ability to engage in First Amendment-protected activities. As discussed below, Plaintiffs provide many compelling examples in the record, some from before the Court entered the TRO against the Federal Defendants and some

after. The following are just several examples selected by the Court from the extensive evidence provided by Plaintiffs. There are more.

### **1. Before the TRO was Issued**

On July 15, 2020, Plaintiff Justin Yau asserts that, while carrying photojournalist gear and wearing reflective, professional-looking clothing clearly identifying him as press, he was targeted by a federal agent and had a tear gas canister shot directly at him. ECF 56, ¶¶ 3-6. Two burning fragments of the canister hit him. *Id.* ¶ 6. At the time he was fired upon, he was taking pictures with his camera and recording with his cell phone while standing 40 feet away from protesters to make it clear that he was not part of the protests. *Id.* ¶ 5. Mr. Yau notes that from his experience covering protests in Hong Kong, “Even Hong Kong police, however, were generally conscientious about differentiating between press and protesters—as opposed to police and federal agents in Portland.” *Id.* ¶ 7.

Declarant Noah Berger has been a photojournalist for more than 25 years. ECF 72, ¶ 1. He has been published nationally and internationally, including for coverage of protests in San Francisco and Oakland. *Id.* On July 19, 2020, he covered the protests on assignment for the Associated Press. He notes that the response he has seen and documented from the federal agents in Portland is markedly different from even the most explosive protests he has covered. *Id.* ¶ 3. He carries two large professional cameras and two press passes. *Id.* He states that without any warning he was shot twice by federal agents using less lethal munitions. *Id.* ¶ 4. Later, as federal agents “rushed” an area he was photographing, he held up his press pass, identified himself as press, stated he was leaving, and moved away from the area. *Id.* ¶ 7. While holding his press pass and identifying himself as press, he was hit with a baton by one federal agent. *Id.* ¶ 8. Two others joined and surrounded him, and he was hit with batons three or four times. *Id.* One agent then deployed pepper spray against Mr. Berger from about one foot away. *Id.* ¶ 9. He was given no

warning. *Id.* ¶ 11. He states that he was not demonstrating or protesting, was leaving the area, and was clearly acting as a journalist. *Id.* ¶¶ 3, 11.

Late July 19th or early July 20th, Declarant Nathan Howard, a photojournalist who has been published in *Willamette Week*, *Mother Jones*, Bloomberg Images, Reuters, and the Associated Press, was covering the Portland protests. ECF 58, ¶¶ 1, 4. He was standing by other journalists, and no protesters, as federal agents went by. *Id.* ¶ 4. The nearest protester was a block away. *Id.* Mr. Howard held up his press pass and repeatedly identified himself as press. *Id.* ¶ 5. A federal agent stated words to the effect of “okay, okay, stay where you are, don’t come closer.” *Id.* ¶ 6. Mr. Howard states that another federal agent, who was standing immediately to the left of the agent who gave Mr. Howard the “okay,” aimed directly at Mr. Howard and fired at least two pepper balls at him at close range. *Id.* ¶ 7.

Declarant Jungho Kim is a photojournalist whose work has been published in the *San Francisco Chronicle* and *CalMatters*, among others. ECF 62, ¶ 1. He wears a neon yellow vest marked “PRESS” and a white helmet marked “PRESS” in the front and rear. *Id.* ¶ 2. He has covered protests in Hong Kong and California. He has experience with staying out of the way of officers and with distinguishing himself from a protester, such as by not chanting or participating in protest activity. *Id.* ¶ 3. He had never been shot at by authorities until covering the Portland protests on July 19, 2020. *Id.* During the protest, federal agents pushed protesters away from the area where Mr. Kim was recording. He was around 30 feet away from federal agents, standing still, taking pictures, with no one around him. *Id.* ¶¶ 5-7. He asserts that suddenly and without warning, he was shot in the chest just below his heart with a less lethal munition. *Id.* ¶ 7. Because he was wearing a ballistic vest, he was uninjured. He also witnessed, and photographed, federal agents firing munitions into a group of press and legal observers. *Id.* ¶ 9.

Declarant Nate Haberman-Ducey is a law student at Lewis and Clark Law School.

ECF 61, ¶ 1. He completed training with the National Lawyers Guild (“NLG”) and attended the protests several times as a legal observer. *Id.* He states that on July 19, 2020, while wearing his green, NLG-issued authorized legal observer hat, he was shot in the hand with a paint-marking round by a federal agent, while walking his bicycle through the park across from the federal courthouse. *Id.* ¶¶ 3-4. At the time, there were no other protestors or other people around Mr. Haberman-Ducey at whom the federal agent might have been aiming. *Id.* ¶ 5. The pain from injury to Mr. Haberman-Ducey’s right hand was so severe that he had to stop observing the protests and go to the emergency room, where doctors put his broken hand in a splint. *Id.* ¶¶ 7-8. He would like to keep observing the protests but is concerned that residue from tear gas fired by the federal agents will contaminate his splint, which he has to wear for four to six weeks. *Id.* ¶ 9.

Declarant Amy Katz is a photojournalist whose work has been published in the *Wall Street Journal*, the *New York Daily News*, the *Guardian*, *TIME*, *Mother Jones*, the *Independent*, the *New York Times*, and has been featured on Good Morning America and ABC News.

ECF 117, ¶ 1. While covering the protests, she wears a hat and tank top marked with “PRESS” in bold letters and carries a camera with a telephoto lens. *Id.* ¶ 2. Early in the morning of July 21st, she was filming from the side while federal agents dispersed protestors. *Id.* ¶ 4-6. Several agents tried to disperse her, but she displayed her press pass and they left her alone. *Id.* ¶ 6. She asserts that a federal agent approached and motioned for her to disperse again a few minutes later. *Id.* ¶ 7. Ms. Katz again held up her press pass, but before she could process what was happening another agent fired pepper balls or similar munitions at her. *Id.* The first agent then dropped a tear gas grenade directly at her feet as Ms. Katz ran away, yelling that she was press. *Id.* She notes that there were no protestors the agents could have been aiming at because the protestors

had already dispersed. *Id.* ¶ 8. The effects of the tear gas forced her to stop reporting and return to her hotel. *Id.* ¶ 9. The next day her eyes and lips burned, sunlight hurt her eyes, her tongue was swollen, and she had diarrhea. *Id.*

Declarant Sarah Jeong is an attorney, a columnist for *The Verge*, and a contributing writer to the *New York Times* Opinion section. ECF 116, ¶ 1. She attended the protests solely as a journalist, wore her press badge, and wore a helmet with “PRESS” in black letters on a white background on three sides. *Id.* ¶ 4. On the night of July 21st, Ms. Jeong was covering the protests from the steps of the courthouse when federal agents emerged from the building and charged the crowd. *Id.* ¶ 5. Ms. Jeong walked slowly backward, holding her press pass up in one hand and her phone in the other. *Id.* ¶ 6. With no warning and for no apparent reason, a federal agent shoved Ms. Jeong so forcefully that both her feet left the ground. *Id.* ¶ 7. She kept reporting that night but left much earlier than she had planned. *Id.* ¶ 8. Although she plans to keep covering the protests, she is fearful for her safety. *Id.*

Declarant James Comstock is a legal observer with the NLG. ECF 63, ¶ 1. On July 19th, a few minutes before midnight, he was watching the protests from the park across the street from the protests. *Id.* ¶ 2-3. He was wearing the standard NLG-issued green hat provided to legal observers. *Id.* ¶ 2. As protestors started to push the fence, he put on his gas mask and started to move away from the courthouse because he did not want to get tear gassed. *Id.* ¶ 3. He stopped on the opposite side of 4th Avenue, about 375 feet away from the front door of the courthouse. *Id.* He went to speak to a press member standing on the intersection of SW 4th and Main. *Id.* ¶ 4. After finishing his conversation with the press member, Mr. Comstock was standing in the same location alone with his back up against the wall. *Id.* Without warning, a federal agent shot Mr. Comstock in the hand with an impact munition while he was making notes on his phone. *Id.* ¶ 5.

There were no protestors around and he was at least 6 feet from the reporter with whom he had just been speaking. *Id.* ¶ 6. Mr. Comstock states that he would like to keep attending the protests as a legal observer but that he is afraid of injury and fearful that he will be wrongfully arrested, endangering his job as a criminal defense investigator. *Id.* ¶¶ 8-9.

Early morning on July 22nd, Plaintiff Alex Milan Tracy was standing in the street and filming a group of federal officers who were standing on the sidewalk in front of the courthouse. ECF 74, *Id.* ¶ 4. Two of the officers from that group waved their batons at him and gestured for him to move back. *Id.* He retreated, and one of the officers briefly charged at him. Mr. Tracy then moved back farther into the middle of the street. *Id.* A few minutes later, he was filming the same group of federal officers from the same spot in the middle of the street. *Id.* ¶ 6. Agents from that same group raised their weapons and launched a flashbang at Mr. Tracy and another journalist, hitting them both. *Id.* ¶ 7. Mr. Tracy continued documenting the scene but finally left because the federal officers kept looking and pointing directly at him. *Id.* ¶¶ 7, 10. He was “genuinely terrified” of standing in front of the federal officers. *Id.* ¶ 10.

## **2. After the TRO was Issued**

Plaintiff Brian Conley has worked in war zones such as Iraq, Afghanistan, Libya, and Burundi. ECF 87, ¶ 1. He also has covered protests for many years in places such as Beijing, New York, Washington, D.C., Miami, Quebec City, and Oaxaca, Mexico. *Id.* He has encountered agents of the Federal Defendants in Portland on multiple days. At all times he was wearing a photographer’s vest with “PRESS” written on it and a helmet that said “PRESS” in large block letters across the front. *Id.* ¶ 2. He was also carrying a large camera with an attached LED light and telephoto lens. *Id.*

Early in the morning of July 24th, Mr. Conley filmed federal agents seizing a woman who was dancing with flowers in front of the officers. *Id.* ¶ 3-4. At that point, the crowd was



mostly press and a few individual protestors. *Id.* ¶ 3. Federal agents launched tear gas into the streets, and Mr. Conley yelled that he was press to avoid being further tear gassed. *Id.* ¶ 6. Mr. Conley was then shot with impact munitions in the chest and foot. *Id.* ¶ 7. Video of this event shows that the situation grew tense as a protester attempted to interfere with the agents' seizure of the woman. As the agents finalized the seizure of the woman and the interfering protester and retreated into the federal courthouse with the woman and the interfering protester, they laid sweeping cover fire into the remaining crowd, which included Mr. Conley and other press members, even though no protester was near Mr. Conley at the time. After the officers were safely within the building, Mr. Conley continued recording. The video shows that Mr. Conley was outside next to another photographer. A medic and his protector were behind a shield on one side several yards away and a protester yelling taunts was on the other side several yards away. As Mr. Conley was filming, a federal agent on the other side of the courthouse fence shone a bright light at Mr. Conley. Shortly thereafter, without warning, a federal agent shot a tear gas canister above Mr. Conley's head. Mr. Conley also describes this in his declaration. *Id.* ¶ 9.

Mr. Conley took the next two nights off and returned to cover the protests the night of July 27th. *Id.* ¶¶ 17, 18. He was documenting a line of federal agents advancing on a group of six protestors with shields who were standing behind him. *Id.* ¶ 18. He yelled that he was press, but the federal agents unleashed a barrage of munitions at him. *Id.* ¶ 19. He moved to the side, away from the protestors, and continued to yell that he was press. *Id.* ¶ 20. The federal agents briefly stopped firing, one shone a flashlight at him, and resumed fire directly at him, striking him multiple times—although by this point there was nobody else near him. *Id.* Another federal agent threw a flashbang grenade directly at him. *Id.* Mr. Conley could “barely walk” after the events of July 27-28. *Id.* ¶ 25.

Mr. Conley was covering the protests again just before midnight on July 29th. ECF 115, ¶ 4. He had replaced the “PRESS” lettering on his helmet because the concussion and flashbang grenades thrown at him the night before had blown off one of the letters. *Id.* ¶ 2. He was filming federal agents on SW Salmon Street between SW 2nd and SW 3rd Avenue. *Id.* ¶ 4. There was one other photographer between him and the small group of agents. *Id.* One of the agents shone a light on Mr. Conley and fired a munition just beside him. *Id.* Another federal agent with an assault rifle approached Mr. Conley and told him to stay on the sidewalk. *Id.* ¶ 5. Later that night, without warning, federal agents pepper sprayed Mr. Conley at point blank range. *Id.* ¶ 6. Video of this event shows that while Mr. Conley was filming a line of federal officers moving down the street pepper spraying peaceful protesters, including spraying a woman in the face at point blank range who was on her knees with her hands up in the middle of the street, an officer pepper sprayed Mr. Conley at point blank range along with indiscriminately pepper spraying other press and the protesters. Mr. Conley states that he fears for his safety but plans to keep covering the protests because he believes “it is critically important to do so.” *Id.* ¶ 11.

Declarant Amy Katz again covered the protests on the early morning of July 27th. ECF 117, ¶ 10. She witnessed a federal agent push a man down a flight of stairs while arresting him and photographed the incident. *Id.* An agent physically blocked her and tried to stop her from photographing the arrest. *Id.* When she stepped to the side to get another angle, the federal agent physically shoved her away. *Id.* Later that night, she approached a group of federal officers with a group of press, all of whom had their press badges up and their hands in the air. *Id.* ¶ 12. The video of this event shows that many of the group were calling out “press.” Ms. Katz describes that she and the group of press were at least 75 feet away from most of the protestors when federal agents bombarded their group with munitions, hitting her in the side and causing a

large contusion. *Id.* The video shows the group of press moving together off to the far side of the sidewalk, holding their passes up along with cameras, shouting press and saying “hold your passes up.” The group is moving toward the federal officers, recording events, when they are fired upon with various munitions. Ms. Katz stopped covering the Portland protests after that incident because of how the federal agents treated her. *Id.* ¶ 15.

Declarant Rebecca Ellis is a staff reporter for Oregon Public Broadcasting (“OPB”). ECF 88, ¶ 1. She attended the protests the night of July 23rd wearing her OPB press pass, which shows her name, her photograph, and the OPB logo. *Id.* ¶ 2-3. Around 1:30 a.m. she was in a small group of press members filming federal agents exiting the federal courthouse. *Id.* ¶ 3. One agent fired a munition directly at her, hitting her in the hand. *Id.* Video of this incident shows that she is hit when agents advance in a group and fire multiple munitions. Ms. Ellis appears to be in the middle of the street when she is hit. There are also persons crossing in front of Ms. Ellis, who appear also to be press, at the time she is shot. It is unclear who is behind her when she is hit. Ten minutes later, however, federal agents forced her and other press to disperse from near the courthouse. *Id.* ¶ 5. One agent walked towards them shouting “MOVE, MOVE” and “WALK FASTER” in their faces while another agent kept pace next to him, holding his gun. *Id.* Video of this dispersal shows that it is directed at press, in an intimidating manner, despite a press person stating, “You can’t do that.” The video does not seem to support that the press were in the way or otherwise impeding law enforcement actions. Ms. Ellis states that the federal agents prevented her from doing her job and reporting on what was going on behind them. She intends to keep covering the protests but is fearful for her safety. *Id.* ¶ 6.

Declarant Kathryn Elsesser is a freelance photographer whose photographs of the Portland protests have been published by Bloomberg, CBS News, and Yahoo, among others,

including many international publications. ECF 89, ¶ 1. She covered the protests the night of July 24th on assignment from a French news agency. *Id.* ¶ 2. She carried a large camera, wore a press pass from the American Society of Media Photographers, and wore a helmet with “PRESS” written in big letters across the front. *Id.* Around 2 a.m. on July 25th, Ms. Elsesser decided to end her coverage early because she did not have a bullet-proof vest and was afraid federal agents would hurt her. *Id.* ¶ 4. She was standing by herself, across the street from the courthouse, at the edge of the park. *Id.* There was nobody else near her. *Id.* A federal agent shot her in the arm with an impact munition as she was walking away. *Id.* ¶ 5. She believes that the federal agents targeted her because she was taking photographs. *Id.* ¶ 6. Ms. Elsesser states that she would refuse to cover the protests again unless she had a bullet-proof vest because she is afraid that federal agents will injure her or worse. *Id.* ¶ 13.

Declarant Emily Molli is a freelance photojournalist whose photographs have been published in the *New York Times*, the *Wall Street Journal*, the *Guardian*, *ProPublica*, and others. ECF 118, ¶ 1. She is experienced in covering civil unrest, riots, and other dangerous situations. She has reported on the protests in Hong Kong over the course of six months, the “Yellow Vests” in France over the course of a year, the Catalan independence movement, and the protests and riots in Greece. *Id.* ¶ 2. She understands the risk of getting hit by less lethal munitions while standing with protesters, but she objects to federal officers targeting press, which she states she has witnessed happening in Portland. *Id.* She wears a helmet with “PRESS” in big block letters and carries two press passes and a large professional-grade video camera. *Id.* ¶ 3. Early in the morning of July 27, 2020, after getting shot and injured when she had been approximately 75 yards from protesters, Ms. Molli decided to stick with a group of only journalists. *Id.* ¶¶ 7-8. The video of this event shows that they were holding their press passes up, mostly staying together as

a group, and staying toward the side of a street that appears otherwise empty. Federal officers fired munitions at the group of journalists. *Id.* ¶ 8. On July 29, 2020 and into the early morning of July 30th, Ms. Molli recorded another encounter between journalists and federal officers on SW Main Street. *Id.* ¶ 10. Video of this event shows that there were numerous law enforcement personnel, several journalists, and no protesters on that section of the street. Journalists are taking pictures and video of a tear gas canister that had been fired by federal agents when a federal agent fires another tear gas round at the journalists. Ms. Molli intends to keep covering the protests, but she fears for her safety because she has seen the federal agents disobey a court order. *Id.* ¶ 11.

Declarant Daniel Hollis is a videographer for VICE News. ECF 91, ¶ 1. He has covered many chaotic and dangerous situations, including conflict zones in Iraq and Syria, former Taliban areas in Pakistan, child sex-trafficking raids in the Philippines, Iranian militias, gangs, mafia, domestic terrorism, and armed militias. *Id.* He covered the Portland protests for two nights. *Id.* ¶ 2. During the protests, he carried a VICE press pass and a helmet with “PRESS” on it in bright orange tape. *Id.* He also carried a large, professional video-recording camera. *Id.* On July 26th, Mr. Hollis was filming wide-angle footage of a mass of protestors in front of the courthouse. *Id.* ¶ 4. The people closest to him were press and legal observers—the nearest protestors were several yards behind him. *Id.* ¶ 7. He then turned to record a group of federal agents massed outside the courthouse. *Id.* ¶ 5. Almost immediately, the agents shot at him, striking him just to the left of his groin. *Id.* He turned to run away, and another munition hit him in the lower back. *Id.* ¶ 6. Video of this event shows that Mr. Hollis was positioned between the federal agents and those few protesters (not the mass of protesters who were around the building), but the video does not reflect any violent or riotous behavior by anyone near Mr.

Hollis. After the federal agents shot him, Mr. Hollis went back to his hotel. *Id.* ¶ 8. He states that he is more concerned for his personal safety than he was during the month he spent covering ISIS sleeper cells in Northern Syria. *Id.* ¶ 9. He states: “I have been around heavily armed soldiers, militias, and gangs countless times, but have never had weapons aimed or discharged directly at me. The federal agents I have seen in Portland have been less willing to distinguish between press and putative enemies than any armed combatants I have seen elsewhere.” *Id.*

Declarant Jonathan Levinson is an Oregon resident who lives in Portland. ECF 93, ¶ 1. He is a staff reporter for OPB. His work also has appeared on NPR and ESPN, and in the *Washington Post*, the *Wall Street Journal*, and *Al Jazeera*. *Id.* He has experience in conflict zones. He spent five years as an infantry officer in the U.S. Army, with two deployments to Iraq. *Id.* ¶ 2. As a reporter, he has covered the Libyan civil war and done work in Afghanistan, Yemen, Gaza, and the West Bank. *Id.* He has covered the Portland protests for a majority of the nights. When covering the protests, he wears his press pass issued by OPB, which contains his name, photograph, the OPB logo, and the word “MEDIA.” *Id.* ¶ 3. He also wears a helmet that says “PRESS” in large letters on the front and back and carries two professional cameras. *Id.* At around 1:00 a.m. on July 24th, the federal agents had cleared the area next to the courthouse so he decided to take pictures of the agents through the courthouse fence. *Id.* ¶ 4. There were very few protesters anywhere nearby. As he was trying to focus his professional camera, he could see a federal agent raise and aim his weapon and fire several rounds directly at Mr. Levinson. *Id.* ¶ 5. His camera and lens were covered in paint from the agent’s rounds. Mr. Levinson states that he intends to continue covering the protests because he believes they are of historic significance, but that he is fearful for his safety because within hours of the Court issuing its restraining order, he “saw federal agents brazenly violate it.” *Id.* ¶ 7.

**D. Declarations of Plaintiffs' Expert Witness Gil Kerlikowske<sup>4</sup>**

Plaintiffs submitted two declarations from Mr. Gil Kerlikowske, whom the Court finds to be a qualified, credible, and persuasive expert witness. ECF 135, 145. Mr. Kerlikowske is a former Commissioner of U.S. Customs and Border Protection, and he was confirmed by the U.S. Senate. Mr. Kerlikowske also served as the Chief of Police in Seattle, Washington from 2000 through 2009, and the Police Commissioner in Buffalo, New York. He has worked in law enforcement for 47 years. He served in the United States Army and Military Police from 1970 through 1972, where he began training in crowd control, riots, and civil disturbances. He also has served as the Director of the Office of National Drug Control Policy and as Deputy Director of the U.S. Department of Justice, Office of Community Oriented Policing Services. He has been an IOP Fellow at Harvard Kennedy School of Government and teaches as a distinguished visiting fellow and professor of the Practice in Criminology and Criminal Justice at Northeastern University. During his tenure as Chief of Police in Seattle, Mr. Kerlikowske led and orchestrated the policing of hundreds of large and potentially volatile protests, many of which were considerably larger than the recent protests in Portland. He did the same thing when he was Police Commissioner in Buffalo. Mr. Kerlikowske has had substantial training and experience with crowd control and civil unrest in the context of protests, use of force in that context, and use of force generally.

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<sup>4</sup> After oral argument, the Federal Defendants filed the Declaration of Chris A. Bishop, the "Acting Director/Deputy Director," for the U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP). ECF 152. The Federal Defendants offer this declaration as an expert rebuttal to the two declarations of Mr. Kerlikowske. Plaintiffs have moved to strike Mr. Bishop's declaration as untimely. ECF 154. The Court denies Plaintiffs' motion to strike. The Court finds the declaration of Mr. Kerlikowske to be more persuasive than the declaration of Mr. Bishop.

Plaintiffs asked Mr. Kerlikowske to evaluate whether the relief stated in the TRO against the Federal Defendants is both safe and workable from a law enforcement perspective, whether the force that federal authorities used against journalists and legal observer complainants was reasonable, and whether it is advisable to prominently mark federal agents with unique identifying letters or numbers. First, Mr. Kerlikowske opined that the prohibitions contained in the TRO are safe for law enforcement personnel. Defending the federal courthouse in Portland mainly involves establishing a perimeter around the building, and there is no reason to target or disperse journalists from that position. Additionally, to the extent officers leave federal property, the TRO is also safe for federal law enforcement officers, according to Mr. Kerlikowske.

Second, Mr. Kerlikowske stated his expert opinion that the TRO is workable. He states that trained and experienced law enforcement personnel are able to protect public safety without dispersing journalists and legal observers and can differentiate press from protesters, even in the heat of crowd control. He adds that any difficulties that may be faced by federal authorities arise from their lack of training, experience, and leadership with experience in civil disturbances and unrest.

Third, Mr. Kerlikowske explains that based on his review of the record evidence virtually all the injuries suffered by the complaining journalists were the result of improper use of force, including shooting people who were not engaged in threatening acts and misuse of crowd-control munitions by federal law enforcement personnel. For example, Mr. Kerlikowske opines that tear gas canisters and pepper balls should not be fired directly at people. He also opines that rubber bullets should not be shot above the waist, and certainly not near the head. He further opines that in these circumstances, it is inappropriate to shoot someone in the back because at that point they are not a threat.



Finally, Mr. Kerlikowske asserts that in his expert opinion a key duty and responsibility of law enforcement is to be properly and easily identifiable specific to the organization and the individual. He notes that if a decision is made to remove a name tag, it must be replaced with some other identifying label, badge, or shield number. Mr. Kerlikowske explains that such markings increase accountability and act as a check and deterrent against misconduct. He adds that camouflage uniforms are inappropriate for urban settings.

As noted, the Court finds Mr. Kerlikowske to be a well-qualified expert whose opinions are relevant, helpful, and persuasive.

#### **E. The Situation Faced by Law Enforcement**

After the killing of George Floyd on Memorial Day, there have been consistent protests against racial injustice and police brutality in Portland. ECF 67-1, Russell Decl. ¶ 3. The protesters generally are peaceful, particularly during the day and early evening. *See* ECF 113-3, Jones Decl. ¶ 7. Late at night, however, there are incidents of vandalism, destruction of property, looting, arson, and assault. ECF 67-1, ¶ 3. While protestors originally gathered outside the Justice Center (PPB headquarters), some protestors soon directed their attention to the Mark O. Hatfield Federal Courthouse, across the street from the Justice Center. After additional federal officers were deployed to Portland to support existing Federal Protective Service (“FPS”) and USMS personnel, the protests grew larger and more intense, and the federal courthouse became a focus of attention. *Id.* at ¶ 5.

In early July, a group of people broke the glass doors at the entryway of the federal courthouse. *Id.* Members of this group used accelerant and commercial fireworks in an apparent attempt to start a fire inside the courthouse. *Id.* On other nights in July, various objects were thrown at law enforcement, such as rocks, glass bottles, and frozen water bottles. *Id.* at ¶ 6; ECF 101-6, CBP NZ-1 Decl. ¶ 8. Assistant Director for the Tactical Operations Division of the

USMS Andrew Smith describes the environment of the protests as “extremely chaotic and dynamic” and emphasizes that law enforcement must make split-second decisions. ECF 101-1, Smith Decl., ¶ 6. A DHS Public Affairs Specialist identified as CBP PAO #1 states that he observed a person holding a Molotov cocktail. ECF 101-2, ¶ 7. Officers have had to extinguish fires and flaming debris, some of which has been thrown over the fence in officers’ direction. *See* ECF 106-1, Smith Am. Decl. ¶ 15; ECF 101-3, FPS No. 824 Decl. ¶ 5.

The situation has been dangerous for federal agents, in addition to protesters, journalists, and legal observers. Gabriel Russell, FPS Regional Director for Region 10 and commander of DHS’s Rapid Deployment force for Operation Diligent Valor in Portland, notes that as of his declaration submitted on July 29th, 120 federal officers had experienced some kind of injury, including broken bones, hearing damage, eye damage, a dislocated shoulder, sprains, strains and contusions. ECF 101-5, ¶ 4. The Patrol Agent in Charge of Customs and Border Protection, U.S. Border Patrol, identified as CBP NZ-1, describes agents being hit with rocks and ball bearings from sling shots, improvised explosives, commercial grade aerial fireworks, high intensity lasers targeting officer’s eyes, thrown rocks, full and empty glass bottles, frozen water bottles, and balloons filled with paint and feces. ECF 101-6, ¶ 8. He notes that one officer was hit by a projectile that caused a wound that required multiple stitches and one officer was struck in the head and shoulder by a protester wielding a sledgehammer when the officer tried to prevent the protester from breaking down the courthouse door. *Id.* Another federal officer states that he has suffered numerous injuries during the protests, including being struck in the shins by tear gas canisters, suffering temporary hearing loss from commercial fireworks, and suffering temporary blindness from lasers. ECF 101-3, FPS No. 824 Decl. ¶ 6. The Federal Defendants do not assert

that journalists or legal observers caused these injuries. *See, e.g.*, ECF 136-3 at 10-11, CBP NZ-1 Dep. Tr. 72:10-73:1.

The Federal Defendants, however, do assert that some persons wearing the indicia of press have engaged in violent or unlawful behavior. Mr. Smith states that USMS personnel witnessed a person with a helmet marked “press” use a grinder to attempt to breach the fence surrounding the courthouse. ECF 106-1, ¶ 10. Another person wearing a press helmet entered courthouse property, either by climbing the perimeter fence or crossing when the fence was breached. *Id.* ¶ 11. A different person with press clothing helped a protestor climb the perimeter fence. *Id.* at ¶ 14. Mr. Smith also received a report that a staff member was kicked by someone wearing clothing marked “press.” *Id.* at ¶ 15.

Mr. Russell submitted links to several videos purporting to show improper conduct by persons with indicia of press. ECF 101-5, ¶ 8. The Court reviewed those videos and did not find persuasive evidence of any wrongdoing related to persons wearing indicia of press with two exceptions. The first are the videos of Mr. Brandon Paape, who admits that he is not press but is wearing clothing marked “press” because he was assaulted by federal agents and hoped wearing clothing that indicates he is press would protect him from further violence. *Id.* ¶ 8(e), (f). The videos, however, do not provide evidence that Mr. Paape did anything unlawful. He masqueraded as press for personal protection. Additionally, shortly thereafter, he posted on Twitter that he will no longer wear indicia of press. *See* ECF 123 at 12. The videos of Mr. Paape do show, however, that persons other than actual journalists have worn indicia of press. The second is the video of a person wearing a “press” helmet who entered courthouse property and encouraged others to join. ECF 101-5, ¶ 8(h). He states: “They can’t arrest us all.” This, however, is the same person from Mr. Smith’s photograph, ECF 106-1 ¶ 11 (Exhibits B and C).

The Federal Defendants also provide additional declarations describing further conduct. A man wearing a vest stating “press” threw a hard object toward police. ECF 101-3, FPS No. 824 Decl., ¶ 5. Another such person shielded from police a woman who was shining strobe lights into the eyes of an officer. *Id.* One person with handwritten markings reading “PRESS” directed a powerful flashlight at a law enforcement helicopter overhead but was not filming or taking photos or notes. ECF 101-2, CBP PAO #1 Decl. ¶ 9. A photo of this man depicts him standing very close to another man holding a camera. *Id.* It is unclear if the man with the powerful light was lighting for the cameraman or was masquerading as press to use light as a law enforcement irritant. Another federal officer states that on one occasion he witnessed persons wearing press indicia shield other persons who were throwing objects at law enforcement. ECF 101-4, FPS No. 882 Decl. ¶ 5. Finally, CBP PAO #1 notes that people self-identified as press are frequently in the midst of crowds near individuals breaking laws, which makes it difficult to disperse protestors without dispersing journalists as well. ECF 101-2, ¶ 12. The Federal Defendants also consistently note that press intermingle with protesters and stand by (or perhaps record) when protesters engage in purportedly wrongful conduct.

## DISCUSSION

### A. Standing

The Federal Defendants argue that Plaintiffs do not have standing to request injunctive relief. The Federal Defendants concede that “the standing inquiry is focused on the filing of the lawsuit” but then assert that standing must be proven at “successive stages of the litigation” and make the same standing arguments that they made during the TRO. In issuing the Temporary Restraining Order Enjoining Federal Defendants, the Court rejected the Federal Defendants’ arguments regarding standing and found that Plaintiffs had Article III standing. *See Index Newspapers LLC v. City of Portland*, --- F.3d ---, 2020 WL 4220820, at \*4-5 (D. Or. July 23,

2020). To the extent the Federal Defendants request reconsideration of that decision, arguing that based on facts as they existed at the time of the filing of the Complaint Plaintiffs do not have standing, reconsideration is denied.<sup>5</sup> The Federal Defendants provide no compelling basis for the Court to modify its previous determination.

To the extent the Federal Defendants argue that Plaintiffs must continue to prove standing as this lawsuit continues and the facts evolve, the Federal Defendants misunderstand the doctrines of standing and mootness. Article III standing is evaluated by considering the facts as they existed at the time of the commencement of the action. *See Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 180 (2000) (noting that “we have an obligation to assure ourselves that FOE had Article III standing at the outset of the litigation”); *Skaff v. Meridien N. Am. Beverly Hills, LLC*, 506 F.3d 832, 838 (9th Cir. 2007) (“The existence of standing turns on the facts as they existed at the time the plaintiff filed the complaint.”).

Whether standing and the other requirements for a live case or controversy exists throughout the entirety of a case is considered under the doctrine of mootness. *See Barry v. Lyon*, 834 F.3d 706, 714 (6th Cir. 2016) (“To uphold the constitutional requirement that federal courts hear only active cases or controversies, as required by Article III, section 2 of the federal constitution, a plaintiff must have a personal interest at the commencement of the litigation (standing) that continues throughout the litigation (lack of mootness).”); *Vasquez v. Los Angeles*

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<sup>5</sup> The Federal Defendants offer no authority for the notion that this Court must repeatedly litigate the same issue. The Federal Defendants are bound by the “law of the case” doctrine for determinations made by this Court, absent reconsideration or changed circumstances such as if new Plaintiffs were added who the Federal Defendants contended did not have standing. At any appeal stage of this litigation, however, “the standing requirement therefore must be met by persons seeking appellate review, just as it must be met by persons appearing in courts of first instance.” *Virginia House of Delegates v. Bethune-Hill*, 139 S. Ct. 1945, 1951 (2019) (simplified).

*Cty.*, 487 F.3d 1246, 1253 (9th Cir. 2007) (noting that mootness is the doctrine under which courts ensure that “a live controversy [exists] at all stages of the litigation, not simply at the time plaintiff filed the complaint”); *Becker v. Fed. Election Comm’n*, 230 F.3d 381, 386 n.3 (1st Cir. 2000) (noting that *Lujan* “clearly indicat[es] that standing is to be ‘assessed under the facts existing when the complaint is filed’” and that evaluating standing thereafter “conflates questions of standing with questions of mootness: while it is true that a plaintiff must have a personal interest at stake throughout the litigation of a case, such interest is to be assessed under the rubric of standing at the commencement of the case, and under the rubric of mootness thereafter”); *McFalls v. Purdue*, 2018 WL 785866, at \*8-10 (D. Or. Feb. 8, 2018) (discussing the difference between standing and mootness). Therefore, the Federal Defendants’ arguments that Plaintiffs must demonstrate standing at “all stages of the litigation,” fail to do so now, and thus fail to present a case or controversy are more appropriately raised under the doctrine of mootness, to which the Court now turns. *See, e.g., Barry*, 834 F.3d at 714; *Vasquez*, 487 F.3d at 1253; *Becker*, 230 F.3d at 386 n.3; *Tellis v. LeBlanc*, 2020 WL 1249378, at \*5 (W.D. La. Mar. 13, 2020); *Rhone v. Med. Bus. Bureau, LLC*, 2019 WL 2568539, at \*3 (N.D. Ill. June 21, 2019); *Fancaster, Inc. v. Comcast Corp.*, 2012 WL 815124, at \*5 (D.N.J. Mar. 9, 2012).

## **B. Mootness**

The Federal Defendants do not specifically argue that Plaintiffs’ claims are moot based on any new facts or circumstances. Because the Federal Defendants appear to argue that Plaintiffs now lack standing based on changed circumstances, the Court considers whether the Federal Defendants’ voluntary change in enforcement tactics moots Plaintiffs’ claims. The augmented force of federal enforcement officers currently remain in Portland, ready to deploy whenever ordered, but have recently deployed only in limited circumstances and have not

recently engaged in the crowd control tactics that supported the Court's original TRO in this case.

For a short time, the Oregon State Police took the lead in enforcing crowd control in Portland. That appears to have ended, and the Portland Police have now resumed performing that role. The out-of-town agents and officers of the Federal Defendants who have been deployed to Portland, however, and whose actions were the basis of the Court's TRO, remain in Portland. Further, they have no scheduled date of departure.

To determine mootness, "the question is not whether the precise relief sought at the time the application for an injunction was filed is still available. The question is whether there can be *any* effective relief." *Nw. Envtl. Def. Ctr. v. Gordon*, 849 F.2d 1241, 1244-45 (9th Cir. 1988) (emphasis in original) (quoting *Garcia v. Lawn*, 805 F.2d 1400, 1403 (9th Cir. 1986)). If a course of action is mostly completed but modifications can be made that could alleviate the harm suffered by the plaintiff's injury, the issue is not moot. *Tyler v. Cuomo*, 236 F.3d 1124, 1137 (9th Cir. 2000). A case becomes moot "only when it is impossible for a court to grant any effectual relief whatever to the prevailing party." *Chafin v. Chafin*, 568 U.S. 165, 172 (2013) (quotation marks omitted). The party alleging mootness bears a "heavy burden" to establish that a court can provide no effective relief. *Karuk Tribe of Cal. v. U.S. Forest Serv.*, 681 F.3d 1006, 1017 (9th Cir. 2012) (quoting *Forest Guardians v. Johanns*, 450 F.3d 455, 461 (9th Cir. 2006)).

Further, voluntary cessation of conduct moots a claim only in limited and narrow circumstances. As explained by the Supreme Court:

The test for mootness in cases such as this is a stringent one. Mere voluntary cessation of allegedly illegal conduct does not moot a case; if it did, the courts would be compelled to leave the defendant free to return to his old ways. A case might become moot if subsequent events made it absolutely clear that the allegedly wrongful behavior could not reasonably be expected to

recur. Of course it is still open to appellees to show, on remand, that the likelihood of further violations is sufficiently remote to make injunctive relief unnecessary. This is a matter for the trial judge. But this case is not technically moot, an appeal has been properly taken, and we have no choice but to decide it.

*City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283, 289 n.10 (1982) (simplified); *see also* *F.T.C. v. Affordable Media*, 179 F.3d 1228, 1238 (9th Cir. 1999) (“A case may become moot as a result of voluntary cessation of wrongful conduct only if ‘interim relief or events have completely and irrevocably eradicated the effects of the alleged violation.’” (quoting *Lindquist v. Idaho State Bd. of Corr.*, 776 F.2d 851, 854 (9th Cir. 1985))). The Ninth Circuit has noted that “an executive action that is not governed by any clear or codified procedures cannot moot a claim.” *McCormack v. Herzog*, 788 F.3d 1017, 1025 (9th Cir. 2015). The Ninth Circuit also advises courts to be “less inclined to find mootness where the new policy could be easily abandoned or altered in the future.” *Rosebrock v. Mathis*, 745 F.3d 963, 972 (9th Cir. 2014) (simplified).

The Federal Defendants’ voluntary change in enforcement tactics does not moot Plaintiffs’ claims. There remains effective relief that the Court can provide for Plaintiffs. Further, the change in enforcement tactics is not part of any clear or codified procedures. It could easily be abandoned or altered in the future. Indeed, the Federal Defendants have stated that they specifically intend to abandon or alter in the future the current posture and become actively involved again if local police do not perform in a manner acceptable to the Federal Defendants or are otherwise unable to secure the federal courthouse in Portland in a manner acceptable to the Federal Defendants.<sup>6</sup> Whether this current and potentially temporary change in enforcement tactics affects Plaintiffs’ likelihood of irreparable harm is addressed in Section D.2 below.

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<sup>6</sup> *See, e.g.*, ECF 147-1 at 3 (USMS responding to a Request for Admission that it would no longer police Portland protests by stating: “USMS cannot know whether state law



## C. Factors for Preliminary Injunctive Relief

### 1. Likelihood of Success on the Merits

Plaintiffs allege both First Amendment retaliation and a violation of their First Amendment right of access.<sup>7</sup> Plaintiffs must show a likelihood of success on the merits (or at least substantial questions going to the merits) on at least one of these two claims. Plaintiffs satisfy this requirement.

#### a. First Amendment Retaliation

To establish a claim of First Amendment retaliation, Plaintiffs must show that: (1) they were engaged in a constitutionally protected activity; (2) the Federal Defendants' actions would chill a person of ordinary firmness from continuing to engage in the protected activity; and

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enforcement efforts will continue or whether those efforts will sufficiently protect federal property” and providing a nearly identical response in denying a request for admission that USMS would not engage with journalists or legal observers at a Portland protest); ECF 147-2 at 3 (USMS responding to an interrogatory regarding its plans to remove the additional support personnel sent to Portland: “With respect to the withdrawal of additional personnel deployed to Portland, their withdrawal will depend on unknown future circumstances in Portland and presence of any threat to the federal judiciary or property.”); ECF 147-3 at 3 (DHS providing nearly identical responses to the similar Requests for Admission); ECF 147-4 at 4 (DHS responding that the “cessation of Operation Diligent Valor will depend on unknown future circumstances in Portland. . . . The other DHS officers and agents deployed to Portland to assist FPS in the protection of the Hatfield U.S. Courthouse and federal facilities in Portland will remain in Portland until the Department makes an operational security determination that their presence is no longer required to protect federal facilities there.”); ECF 147-4 at 3 (DHS affirming as truthful the statements in the press release filed with the Court in ECF 124-1, including the statement from Acting Secretary Chad Wolf that “the increased federal presence in Portland will remain until [DHS] is certain the federal property is safe and a change in posture will not hinder DHS’s Congressionally mandated duty to protect it. While the violence in Portland is much improved, the situation remains dynamic and volatile, with acts of violence still ongoing, and no determination of timetables for reduction of protective forces has yet been made. Evaluations remain ongoing.”).

<sup>7</sup> Plaintiffs also allege claims under the Fourth Amendment and Oregon’s state Constitution, but did not argue those claims in their motion for preliminary injunction. Thus, the Court only considers Plaintiffs’ likelihood of success on their First Amendment claims.

(3) the protected activity was a substantial or motivating factor in the Federal Defendants' conduct. *Pinard v. Clatskanie Sch. Dist.* 6J, 467 F.3d 755, 770 (9th Cir. 2006). For the first factor, Plaintiffs have shown that they are engaged in constitutionally protected activity under the First Amendment. Plaintiffs are engaged in newsgathering, documenting, and recording government conduct. *See, e.g., Leigh*, 677 F.3d at 898 (recognizing First Amendment protection for "the press and public to observe government activities"); *United States v. Sherman*, 581 F.2d 1358, 1360 (9th Cir. 1978) (noting that the "ability to gather the news" is "clearly within the ambit of the First Amendment"). The Federal Defendants do not dispute this factor.

Regarding the second factor, the Federal Defendants argue that Plaintiffs' assertion that they intend to continue to cover the protests in Portland or that they have a continuing fear of future physical force or threat by the Federal Defendants is subjective and insufficient. The Court rejects that argument. The enforcement tactics of the Federal Defendants would chill a person of ordinary firmness from continuing to engage in the protected activity. "Ordinary firmness" is an objective standard that will not "allow a defendant to escape liability for a First Amendment violation merely because an unusually determined plaintiff persists in his protected activity." *Mendocino Env'tl. Ctr. v. Mendocino Cty.*, 192 F.3d 1283, 1300 (9th Cir. 1999). Before the TRO was in place, Plaintiffs submitted numerous declarations, photographs, and videos describing and depicting instances when journalists and legal observers were targeted. This includes Mr. Howard being shot at close range despite complying with a federal officer's order to stay where he was. It also includes Mr. Kim and Mr. Yau being shot when they were not near protesters. It further includes Mr. Berger being beaten with a baton.

The Court also has reviewed all of the testimony and videos submitted by Plaintiffs after the Court issued its TRO. Although some of that evidence is ambiguous or less persuasive, some

of it describes or shows conduct that appears to target journalists and legal observers, as opposed to incidentally or inadvertently reaching them as part of reasonable crowd control or enforcement against violent offenders. This evidence includes a federal officer forcing reporter Ms. Ellis to disperse on July 24, 2020 in a manner that would be intimidating to a reasonable person, despite the Court's TRO providing that press shall not be required to disperse. It also includes a federal officer spraying mace or pepper spray directly into the faces of clearly marked legal observers from only a few feet away. The evidence further includes a federal officer shooting a less lethal munition on July 23rd directly at Mr. Conley and another photographer, both clearly identifiable as press, after shining a bright light on them to identify them, and when the person nearest to them was a clearly identified medic standing behind a shield several feet away. It also includes video from Ms. Molli in the early morning of July 30, 2020, one week after the TRO was issued, showing law enforcement agents firing on a group of journalists when only other law enforcement agents were nearby.

The declarations submitted both before and after the TRO also describe that because of the Federal Defendants' conduct, journalists and legal observers were forced to stop newsgathering, documenting, and observing for minutes, hours, or days due to injury and trauma. This includes Mr. Haberman-Ducey being unable to observe due to his broken hand, Mr. Rudoff being unable to return for two days due to being shot in the leg, Mr. Conley having to take some time away because he could "barely walk" after his injuries, Ms. Elsesser stating that she would refuse further assignments in Portland unless she was provided with a bullet proof vest because of her injuries, Mr. Hollis leaving early after he was shot, and Ms. Jeong leaving earlier than she had planned.

Indeed, some journalists decided never to return because of fear for their personal safety. *See, e.g.*, ECF 81 at 4 (Mr. Steve Hickey stating: “I do not intend to continue covering the protests in Portland after tonight, in part because I am fearful that federal agents will injure me even more severely than they did on the night of July 19 and morning of July 20 when they intentionally shot at my face, twice, when I was not even near any protestors.”); ECF 117 at 5 (Ms. Katz stating: “Because of how federal agents treated me, I have stopped covering the Portland protests.”). Most of the declarants, however, emphasize that they intend to continue covering or observing the protests despite their fear of continued injury or targeting by the Federal Defendants. This fear is not unreasonable or speculative. Plaintiffs and the other declarants were repeatedly subject to violent encounters with federal officers when covering the Portland protests. It is not hypothetical or mere conjecture. Instead, it is likely that they and other journalists and legal observers will face such treatment again if they cover protests in Portland policed by agents of the Federal Defendants. Moreover, the mere threat of harm, without further action, can have a chilling effect. *Brodheim v. Cry*, 584 F.3d 1262, 1270 (9th Cir. 2009).

The Court recognizes that that there are some violent individuals at these protests, including some who throw dangerous items at law enforcement officers, such as rocks, frozen water bottles, fireworks, and Molotov cocktail-type devices. Law enforcement also face arson events, including in dumpsters and debris being piled and set on fire. The situation can be dangerous and difficult for law enforcement. The fact that there are some violent offenders, however, does not give the Federal Defendants carte blanche to attack journalists and legal observers and infringe their First Amendment rights. *See Black Lives Matter Seattle-King Cty. v. City of Seattle, Seattle Police Dep’t*, 2020 WL 3128299, at \*3 (W.D. Wash. June 12, 2020). Further, many declarants note that they have covered protests in war zones around the world and

in areas with riotous protests such as Hong Kong, Oakland, and Seattle, and have never been subjected to the type of egregious and violent attacks by law enforcement personnel as they have suffered in Portland. If military and law enforcement personnel can engage around the world without attacking journalists, the Federal Defendants can respect Plaintiffs' First Amendment rights in Portland, Oregon.

In addition, the change in enforcement tactics does not serve to remove the chilling effect of the Federal Defendants' conduct for the same reason it does not moot Plaintiffs' claims. It is subject to change without notice and whenever the Federal Defendants assert that it is needed. It also has been the subject of conflicting public statements, which would not give a person of ordinary firmness confidence that the Federal Defendants are not poised and ready to return to the streets of Portland at any moment and to continue with the previous *modus operandi*.

Regarding the third factor, the Federal Defendants argue that Plaintiffs fail to show that any protected activity was a substantial or motivating factor in any purported conduct. The Federal Defendants assert that in every video submitted by Plaintiffs after the TRO went into effect, every journalist or authorized legal observer who was purportedly targeted was standing between law enforcement officers and protesters and sometimes also standing next to or behind protesters. Thus, argue the Federal Defendants, legal observers and journalists were not being intentionally targeted but merely were "inadvertently" hit. The Federal Defendants conclude that the circumstantial evidence does not support any retaliatory intent, and Plaintiffs have not shown a likelihood of success on the merits.

The Court reaches a different conclusion from the evidence. The issue is not as simple as whether a legal observer is standing "between" law enforcement personnel and protesters. For example, the Court's view of the two videos showing the pepper spray or mace attack on the

legal observers reveals that this evidence supports the finding that journalists or legal observers were targeted and not inadvertently hit. They were standing together along the fence protecting the courthouse. There may have been protesters at some point standing behind them, although not close behind them, based on the video. Thus, the journalists or legal observers may have been “between” the law enforcement at the fence and some set of protesters further back from the fence. But based on the video, it is clear that the pepper spray was not aimed at protesters standing further back from the fence. The spray appears to have been intentionally directed at close range into the faces and eyes of the journalists or legal observers.

Additionally, from the Court’s review, there are videos showing journalists not standing in between law enforcement and protesters, yet they also appear to have been targeted by agents of the Federal Defendants. For example, the video from Mr. Conley from July 24, 2020, from the time count of approximately 6:30 to 7:40, supports the finding that he was targeted. Federal agents fired on him when he was not near protesters, after he had repeatedly identified himself as press, after many federal officers had returned to the courthouse and were safe from the volatile situation of apprehending the woman and the man who had attempted to interfere with the woman’s apprehension, and after the pan of Mr. Conley’s camera showed that the nearest person was another photographer. The next two nearest people were yards away and were on one side a medic behind a shield and on the other side a single protester yelling taunts. A federal officer shone a bright light at Mr. Conley, making his and his neighboring photographer’s press status even more identifiable, and then fired at Mr. Conley.

The Court also finds it to be a reasonable interpretation<sup>8</sup> that Ms. Ellis and another journalist were targeted when on July 24, 2020, they were forced to disperse, despite the TRO and their clearly identifiable status as press. Further, the Court finds that the video posted by Ms. Molli from early morning on July 30th supports a finding of targeting. This video shows journalists taking video and pictures of a munition that had been fired by federal officers. There were only a handful of journalists and many law enforcement officers, no protesters. Suddenly, one officer fired a less-lethal munition directly at the journalists recording the events.

Moreover, there are declarations that do not have video. The Federal Defendants do not address these. For example, Ms. Elsesser states that on July 25th she was standing by herself, across the street from the courthouse, with no protesters around when she was shot with a munition in the back of her arm. Ms. Katz states that on July 27th she was attempting to photograph the arrest of a protester when a federal agent physically blocked her. When she took a step to the side to get another angle, he physically shoved her away. These videos and declarations are all circumstantial evidence supporting retaliatory animus.

The Federal Defendants cite two unpublished Ninth Circuit decisions in support of their argument that in responding to some violent offenders in protesting crowds, any incidental burden on the First Amendment rights of journalists and legal observers is acceptable. These unpublished—and thus non-precedential—cases are unpersuasive. The Court follows published Ninth Circuit precedent, including *Collins*, which instructs that the proper response to violence is to arrest the violent offenders, not prophylactically suppress First Amendment rights. *See Collins*, 110 F.3d at 1372.

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<sup>8</sup> The Court makes no determination regarding clear and convincing evidence needed for a finding of contempt.

The Federal Defendants also argue that they have a formal policy of supporting First Amendment rights and contend that Plaintiffs fail to show otherwise. The Federal Defendants may not, however, hide behind a formal policy if in practice they do not conform to that policy. *See Castro v. Cty. of Los Angeles*, 833 F.3d 1060, 1075 n.10 (9th Cir. 2016) (en banc) (noting that a defendant cannot escape its “actual routine practices” by “pointing to a pristine set of policies”). At this stage of the litigation, the Court is persuaded by the number of alleged acts and the expert testimony of Mr. Kerlikowske that the conduct of the federal officers has not been reflective of a policy or practice of respecting First Amendment rights. Mr. Kerlikowske opines that the federal officers repeatedly have engaged in excessive force against journalists and legal observers, have not used appropriate crowd control tactics, and improperly have fired at the head, heart, and backs of journalists and legal observers when such conduct is generally not permitted. Even the Federal Defendants’ own witnesses have conceded that shooting persons in such a manner is inappropriate. *See, e.g.*, ECF 136-2 at 13, FPS 824 Dep. Tr. 34:14-21 (testifying that shooting a person in the back who is not doing anything violent is not appropriate); ECF 136-3 at 8, CBP NZ-1 Dep. Tr. 37:18-25 (testifying that shooting a person in the back is not something that an agent or officer should do). Mr. Kerlikowske also opines that the augmented federal force deployed in Portland does not have the appropriate training for policing urban protests and crowd control and does not have the appropriate supervision and leadership. The Court finds these opinions persuasive, and they provide further circumstantial evidence of retaliatory intent.

In sum, Plaintiffs provide substantial circumstantial evidence of retaliatory intent to show, at the minimum, serious questions going to the merits. Plaintiffs submit numerous declarations and other video evidence describing and showing situations in which the declarants



were identifiable as press, were not engaging in unlawful activity or even protesting, were not standing near protesters, and yet were subjected to violence by federal agents under circumstances that appear to indicate intentional targeting. Contrary to the Federal Defendants' arguments, this evidence does not show that the force used on Plaintiffs was merely an "inadvertent" consequence of otherwise lawful crowd control. Also, Plaintiffs submit expert testimony opining about repeated instances of excessive force being used against journalists and legal observers and failures of training and leadership with the augmented federal force sent to Portland, which is further circumstantial evidence supporting Plaintiffs' claim. Thus, Plaintiffs' have shown the elements of First Amendment retaliation.

**b. Right of Access to Public Streets and Sidewalks**

The First Amendment prohibits any law "abridging the freedom of speech, or of the press[.]" U.S. Const., amend. I. Although the First Amendment does not enumerate special rights for observing government activities, "[t]he Supreme Court has recognized that newsgathering is an activity protected by the First Amendment." *United States v. Sherman*, 581 F.2d 1358, 1361 (9th Cir. 1978); *see Branzburg*, 408 U.S. at 681 ("[W]ithout some protection for seeking out the news, freedom of the press could be eviscerated.").

As the Ninth Circuit has explained: "the Supreme Court has long recognized a qualified right of access for the press and public to observe government activities." *Leigh*, 677 F.3d at 898. By reporting about the government, the media are "surrogates for the public." *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980) (Burger, C.J., announcing judgment); *see also Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 91 (1975) ("[I]n a society in which each individual has but limited time and resources with which to observe at first hand the operations of his government, he relies necessarily upon the press to bring to him in convenient form the facts of those operations."). As further described by the Ninth Circuit, "[w]hen wrongdoing is

underway, officials have great incentive to blindfold the watchful eyes of the Fourth Estate.” *Leigh*, 677 F.3d at 900 (quoting Timothy B. Dyk, *Newsgathering, Press Access, and the First Amendment*, 44 STAN. L. REV. 927, 949 (1992) (alteration in original) (“[W]hen the government announces it is excluding the press for reasons such as administrative convenience, preservation of evidence, or protection of reporters’ safety, its real motive may be to prevent the gathering of information about government abuses or incompetence.”)).

The Federal Defendants argue that journalists have no right to stay, observe, and document when the government “closes” public streets. This argument is not persuasive. First, the Federal Defendants are not the entities that “close” state and local public streets and parks; that is a local police function.<sup>9</sup> Second, the point of a journalist observing and documenting government action is to record whether the “closing” of public streets (*e.g.*, declaring a riot) is lawfully originated and lawfully carried out. Without journalists and legal observers, there is only the government’s side of the story to explain why a “riot” was declared and the public streets were “closed” and whether law enforcement acted properly in effectuating that order. Third, the Federal Defendants have not shown that any journalist or legal observer has harmed any federal officer or damaged any federal property, and if any journalist, legal observer, or person masquerading as a journalist or legal observer were to attempt to do so, the preliminary injunction would not protect them. Thus, the stated need to protect federal property and the safety of federal officers is not directly affected by allowing journalists and legal observers to stay, observe, and record events.

The Federal Defendants argue that Plaintiffs improperly rely on *Press-Enterprise Co. v. Superior Court* (“*Press-Enterprise II*”), 478 U.S. 1 (1986), to articulate the standard to apply in

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<sup>9</sup> See n.2, *supra*.

evaluating likelihood of success in Plaintiffs' claim of right of access. The Court rejects this argument.

In *Press-Enterprise II*, the Supreme Court established a two-part test for a claim of violation of the right of access. First, the court must determine whether a right of access attaches to the government proceeding or activity by considering whether the place and process have historically been open to the press and general public and whether public access plays a significant positive role in the functioning of the particular process in question. *Press-Enterprise II*, 478 U.S. at 8-9. Second, if the court determines that a qualified right applies, the government may overcome that right only by demonstrating "an overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest." *Id.* at 9 (citation omitted); *see also Leigh*, 677 F.3d at 898 (discussing *Press-Enterprise II*). The public streets, sidewalks, and parks historically have been open to the press and general public,<sup>10</sup> and public observation of law enforcement activities in these public fora plays a significant positive role in ensuring conduct remains consistent with the Constitution.

The Federal Defendants argue that they have a strong and overriding government interest in protecting federal property. The Court agrees that protecting federal property is a strong

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<sup>10</sup> The Federal Defendants argue that the proper question is whether there historically was access after the closure order that is at issue—the unlawful assembly declaration and dispersal order. The Court disagrees that access is evaluated after the closure that is challenged. Access is considered before the closure that is challenged to determine whether the closure is unduly burdening First Amendment rights. For example, the Supreme Court in *Press-Enterprises II* did not evaluate whether the press and public had access to preliminary criminal proceedings that were subject to a legitimate closure order, but whether they had access to preliminary criminal proceedings generally. 478 U.S. at 10. Even if the Federal Defendants' assertion of how to frame the first question in *Press-Enterprises II* is correct, however, as noted above, it is not at issue in this motion because the City previously has stipulated that even after it has declared an unlawful assembly and issued a lawful dispersal order on state and local property, journalists and authorized legal observers may remain.

government interest, but the Federal Defendants must craft a narrowly tailored response to achieve that government interest without unreasonably burdening First Amendment rights. The Federal Defendants simply assert that dispersing everyone is as narrowly tailored as possible and to allow anyone to stay after a dispersal order is not practicable or workable. The record, however, belies this assertion.

The City, by stipulated preliminary injunction, does not require journalists and authorized legal observers to disperse, even when there has been an otherwise lawful general order of dispersal. After issuing the first TRO directed against the City, the Court specifically invited the City to move for amendment or modification if the original TRO was not working or to address any problems at the preliminary injunction phase. Instead, the City *stipulated* to a preliminary injunction that was nearly identical to the original TRO, with the addition of a clause relating to seized property. The fact that the City did not ask for any modification and then stipulated to a preliminary injunction is compelling evidence that exempting journalists and legal observers is workable.<sup>11</sup> Moreover, the City supports Plaintiffs' request for an injunction against the Federal Defendants, both the TRO and this preliminary injunction. Additionally, as discussed previously, Plaintiffs' expert witness Mr. Kerlikowske provides qualified, relevant, and persuasive testimony

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<sup>11</sup> At oral argument, counsel for the City noted that the City might request from Plaintiffs a possible modification to the stipulated preliminary injunction. The City noted it had encountered some issues with persons with "press" markings intermingling with protesters and interfering with law enforcement. The Federal Defendants argue that this is "proof" that the preliminary injunction is "unworkable." Whether the City might request a modification at some point in the future, however, is not evidence of unworkability. Additionally, the City's stipulated preliminary injunction does not contain the indicia of journalists and legal observers that they "stay to the side" and not intermix with protesters, which is included in the preliminary injunction below, and does not contain the express prohibition on press and legal observers impeding, blocking, or interfering with law enforcement activities, which also is included below. Further, the fact that there might be room for improvement of a preliminary injunction does not make it unworkable. The Court is mindful not to let the perfect be the enemy of the good.

showing that the relief provided in the TRO against the Federal Defendants is workable. He also explains that during his tenure in Seattle, law enforcement did not target or disperse journalists and there were no adverse consequences. Numerous declarants also testified that they were not dispersed during protests in other locations. Thus, it is workable and feasible to disperse protesters generally but not require the dispersal of journalists and authorized legal observers. The Federal Defendants' blanket assertion that federal officers must disperse everyone is rejected.

Further, the Federal Defendants' objections to the workability of the TRO primarily focus on concerns regarding when journalists and legal observers "intermingle" with protesters. The first concern is that federal officers will violate the injunction if a journalist or legal observer is subject to crowd control tactics when mixed with the crowd. The preliminary injunction contains protections for this scenario. It adds, different from the TRO, the indicia of a journalist and legal observer that they stay to the side of the protest and not intermix with protesters. It also retains the protection for law enforcement that the incidental exposure of journalists and legal observers to crowd control devices is not a violation of the injunction.

The Federal Defendants' second concern with the intermingling of journalists and legal observers and protesters is that journalists and legal observers may interfere with law enforcement, particularly if allowed to stay after dispersal order. The preliminary injunction, however, retains the TRO's instruction that journalists and legal observers must comply with all laws other than general dispersal orders. For further clarity, the preliminary injunction expressly adds the provision that journalists and legal observers may not impede, block, or otherwise interfere with the lawful conduct of the federal officers.

The Federal Defendants also express concern that persons may disguise themselves as press and commit violent or illegal acts. The preliminary injunction, however, does not protect anyone who commits an unlawful act. The Federal Defendants have the same authority to arrest or otherwise engage with persons who commit unlawful acts, regardless of their clothing. Moreover, most of this concern expressed by the Federal Defendants focuses on persons self-identifying as press who are mixed with protesters or interfering with law enforcement. The preliminary injunction's addition of the indicia of press as staying to the side and not intermixing with protesters and express prohibition on interfering with law enforcement further addresses this concern. Further, Mr. Kerlikowske's declarations containing his expert opinions are persuasive in discounting this possibility.

The Federal Defendants also argue that requiring federal officers to wear larger unique identifying markings is not workable and is not connected to Plaintiffs' claims in this case. The Federal Defendants assert that such markings will interfere with an officer's ability to reach necessary equipment and are unnecessary because most officers already wear some unique identifying number somewhere on their uniform. The Federal Defendants were unable, however, to identify specific officers from videos when asked to do so by the Court. The current identifying markings are not of sufficient visibility. The Court does not find it credible that there is no possible location on the helmet or uniforms on which more visible markings can be placed. The Court is persuaded by Mr. Kelikowske's expert opinion that unique identifying markings are feasible, important, and will not interfere with the federal officers' ability to perform their duties. The Court also finds that such a requirement is related to Plaintiffs' claims because, as noted by Mr. Kerlikowske, these markings would deter the very conduct against which Plaintiffs have filed suit.

At this stage of the lawsuit, there are at least serious questions regarding Plaintiffs' right of access, whether the government will be able to meet its burden to overcome that right of access, the federal officers' tactics directed toward journalists and other legal observers, and whether restrictions placed upon them by the Federal Defendants are narrowly tailored. Thus, Plaintiffs' meet this factor for their claim alleging a violation of their right of access.

## **2. Irreparable Harm**

Plaintiffs also must show that they are "likely to suffer irreparable harm in the absence of preliminary relief." *See Winter*, 555 U.S. at 20. The Ninth Circuit has explained that "speculative injury does not constitute irreparable injury sufficient to warrant granting a preliminary injunction. A plaintiff must do more than merely allege imminent harm sufficient to establish standing; a plaintiff must *demonstrate* immediate threatened injury as a prerequisite to preliminary injunctive relief." *Boardman v. Pac. Seafood Grp.*, 822 F.3d 1011, 1022 (9th Cir. 2016) (emphasis in original) (simplified).

The Federal Defendants argue that Plaintiffs face no threat of immediate injury, particularly because of the changed enforcement tactics. The Federal Defendants assert that Plaintiffs have provided no evidence that the chances of encountering a federal officer at a protest is higher in August 2020 than it was in August 2019 or August 2018.

The Federal Defendants' latter assertion is without merit. The Federal Defendants have sent numerous additional federal officers to Portland with the stated mission to protect federal property and persons. Plaintiffs provide evidence that these officers routinely have left federal property and engaged in crowd control and other enforcement on the streets, sidewalks, and parks of the City of Portland. Plaintiffs' expert Mr. Kerlikowske opines that the federal officers and supervisors have insufficient and improper experience and leadership to handle the conditions during the Portland protests. Additionally, Plaintiffs provide evidence that the

augmented federal police force has remained in Portland, that it will stay in Portland ready to deploy at any moment, and that there are no plans for any officers to withdraw from Portland, at least not until it is “certain” that federal property is “safe.” This provides significant evidence that journalists and legal observers are more likely to encounter a federal officer during a protest in August 2020 than in 2019 or 2018, when there was no augmented federal police force or Operation Diligent Valor.

Regarding the Federal Defendants’ argument that the voluntary change in tactics has decreased the immediacy of any claim of injury, thereby mitigating irreparable harm, the Ninth Circuit has rejected a similar argument. In *Boardman*, the defendants argued that there was no immediate danger of harm because the defendants had voluntarily ceased certain conduct. 822 F.3d at 1023. The defendants had voluntarily terminated a disputed merger and entered into a stipulation not to enter into a purchase transaction while the Oregon Attorney General’s investigation was ongoing. *Id.* The stipulation was terminable upon 60-days’ notice to the District Court and the Oregon Attorney General. The Ninth Circuit concluded that the District Court did not abuse its discretion in finding irreparable harm. *Id.*

The Ninth Circuit focused on the fact that the voluntarily stipulation was terminable with 60-days’ notice, the defendants had a history of negotiating in secret, the stipulation was limited to a “purchase transaction” and the transaction could take other contractual forms, and the exclusive marketing agreement between the two defendants had expired (thereby incentivizing a merger). *Id.* The Ninth Circuit noted: “A threat of irreparable harm is sufficiently immediate to warrant preliminary injunctive relief if the plaintiff ‘is likely to suffer irreparable harm before a decision on the merits can be rendered.’” *Id.* (quoting *Winter*, 555 U.S. at 22). For the plaintiff to be injured in *Boardman*, the defendants would have had to give 60-days’ notice and then not



have the district court otherwise intervene, or negotiate in secret and reach a form of deal not considered a “purchase agreement,” or other steps that arguably were attenuated or provided the plaintiffs some opportunity to request emergency relief. Nonetheless, the Ninth Circuit agreed that the potential injury was immediate and irreparable for purposes of preliminary injunctive relief.

Plaintiffs’ irreparable injury here is not nearly as attenuated as *Boardman* and indeed is much more immediate because it could happen without any prior notice to the Court. The Court has already found that Plaintiffs face irreparable harm from the Federal Defendants’ conduct.<sup>12</sup>

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<sup>12</sup> The Federal Defendants cite *Rendish v. City of Tacoma*, 123 F.3d 1216, 1226 (9th Cir. 1997), for the proposition that claims alleging First Amendment retaliation are not entitled to a presumption of irreparable harm. *Rendish* involved a public employee who was terminated and alleged First Amendment retaliation. *Id.* at 1218. The district court found that the plaintiff was *not* likely to succeed on the merits of her claim. *Id.* at 1226. The Ninth Circuit concluded: “Because the district court’s assessment that Rendish did not show a likelihood of success was accurate, it did not abuse its discretion in finding no irreparable harm based on a loss of her constitutional rights.” *Id.* The court rejected the plaintiff’s argument that despite the district court’s conclusion that the plaintiff would not have succeeded on the merits, the district court was required to presume irreparable harm, noting that there is no such presumption. *Id.*

*Rendish* provides no support for the contention that when a court concludes that plaintiffs *are* likely to succeed on the merits of a claim that their constitutional rights have been violated, the plaintiffs are not entitled to a presumption of irreparable harm. Indeed, the opposite is true. *See, e.g., Doe v. Harris*, 772 F.3d 563, 583 (9th Cir. 2014) (“A ‘colorable First Amendment claim’ is ‘irreparable injury sufficient to merit the grant of relief.’” (quoting *Warsoldier v. Woodford*, 418 F.3d 989, 1001 (9th Cir. 2005)) (affirming grant of preliminary injunction)); *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (“It is well established that the deprivation of constitutional rights ‘unquestionably constitutes irreparable injury.’” (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976))); *Assoc. Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) (noting that “[t]he loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury” and reversing and remanding for entry of preliminary injunction (alteration in original) (quoting *Elrod*)); *Klein v. City of San Clemente*, 584 F.3d 1196, 1207-08 (9th Cir. 2009) (“Both this court and the Supreme Court have repeatedly held that the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” (simplified) (reversing and remanding for entry of preliminary injunction)); *Black Lives Matter Seattle-King Cty. v. City of Seattle, Seattle Police Dep’t*, 2020 WL 3128299, at \*4 (W.D. Wash. June 12, 2020) (citing *Melendres* and *Otter* and finding irreparable harm for First Amendment retaliation claims because “[t]he use of less-lethal, crowd control weapons has

After the Court’s initial finding of irreparable harm to support the TRO, Plaintiffs provided even more evidence that journalists’ First Amendment rights have been chilled, including declarations in which journalists describe being subject to less lethal munitions that required the journalist to stop covering the protests for the night or for some period of time, or chilled the journalist from returning to cover the protests in the future. *See, e.g.*, ECF 88 at 2 (Ellis Decl. ¶ 6, “Federal agents prevented me from doing my job twice on the night of July 23-24.”); ECF 89 at 4 (Elsesser Decl. ¶ 13, “If I am asked to cover the protests again, I would refuse unless I had a bulletproof vest (which are in short supply in Portland at the moment) to wear because I am fearful that federal agents would injure me or worse.”); ECF 91 at 3 (Hollis Decl. ¶ 8, “After the federal agents shot me, I turned and ran and returned to my hotel.”); ECF 116 at 3 (Jeong Decl. ¶¶ 7-8, noting that because she was shoved down to the ground by a federal officer she “ultimately left much earlier than I had planned” with respect to covering that night’s protest); ECF 117 at 5 (Katz Decl. ¶ 15, “Because of how federal agents treated me, I have stopped covering the Portland protests.”).

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already stifled some speech even if momentarily”); *Freedom for Immigrants v. U.S. Dep’t of Homeland Sec.*, 2020 WL 2095787, at \*5 (C.D. Cal. Feb. 11, 2020) (“Because FFI has demonstrated that DHS’s conduct likely contravenes its First Amendment rights, FFI satisfies the irreparable harm requirement for preliminary injunctive relief.”); *Nat’l Rifle Ass’n of Am. v. City of Los Angeles*, 441 F. Supp. 3d 915, 938-39 (C.D. Cal. 2019) (“In this case, Plaintiffs have sufficiently demonstrated that they are likely to be deprived of their First Amendment rights—the deprivation of which is ‘well established’ to constitute irreparable harm. Defendants’ primary argument to the contrary is that Plaintiffs have not provided admissible evidence of irreparable harm. But Plaintiffs have provided ample evidence of a likely First Amendment violation, which is enough to satisfy the *Winter* standard.” (citations omitted) (granting preliminary injunction)); *see also* 11A Charles Alan Wright, *FEDERAL PRACTICE & PROCEDURE*, § 2948.1 (2d ed. 2004) (“When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary.”). Plaintiffs have demonstrated that they are likely to be deprived of their First Amendment rights and that is sufficient to show irreparable harm.

The only change is the Federal Defendants' "agreement" with Oregon Governor Kate Brown and voluntarily cessation of certain enforcement tactics. This change in enforcement is replete with caveats. It is terminable at any time and without any notice to this Court or Plaintiffs if the Federal Defendants believe that federal property or persons are not secure. *See* n. 6, *supra*. It is also subject to the federal officers being able to leave the building at any time for a specific incident of enforcement, even if the agreement itself has not changed. For example, although the federal officers' modified enforcement role was announced on July 29, 2020, to begin the next day, Plaintiffs have submitted testimony and video evidence from that night (to be precise, from the early morning on July 30, 2020), of federal officers firing tear gas and flash bang munitions at journalists. *See* ECF 118 at 4. There was no one nearby on the street but numerous federal enforcement officers and six journalists when the munitions were deployed.

Moreover, the Federal Defendants have emphatically and repeatedly denied that they have engaged in any wrongful or unlawful conduct. Thus, there is no indication that their crowd control tactics, which the Court has already found to support both a finding of success on the merits and likelihood of irreparable harm, and which Plaintiffs' expert has characterized as including excessive force, would change if they re-engage in crowd control enforcement and the Court's injunctive relief is no longer in place.

Indeed, the Court has serious concerns that the Federal Defendants have not fully complied with the Court's original TRO. The Court has reviewed all of the testimony and videos submitted by Plaintiffs after the Court issued its TRO, and although some of the evidence is ambiguous or less persuasive, some of the evidence describes and shows at least some conduct that appears to target journalists and legal observers, as opposed to incidentally or inadvertently reaching them as part of crowd control or enforcement against violent offenders.

Further, the Court does not agree with the Federal Defendants that given the magnitude of irreparable injury at stake in this case, the Court is required to wait until new and additional irreparable injury is inflicted on Plaintiffs to issue prospective injunctive relief. As the Ninth Circuit emphasized in *Boardman*, a threat of irreparable injury is sufficiently immediate if it is likely to occur before a decision on the merits can be issued. *Boardman*, 822 F.3d at 1023. Given the Federal Defendants' public statements and discovery responses relating to Operation Diligent Valor, the current situation relating to the protests in Portland, and the current situation regarding the local police presence in Portland, the Court finds that it is sufficiently likely that federal officers will re-engage in "protecting federal property and persons" and will return to enforcement tactics before a decision on the merits in this case can be issued. Thus, Plaintiffs have sufficiently shown irreparable injury.

Moreover, the Court takes guidance from the Supreme Court and Ninth Circuit's discussions regarding the Court's authority relating to issuing injunctions generally and predicting future violations in this context. The Supreme Court has noted that in addition to a court retaining the ability to hear a case after voluntarily cessation (considerations of mootness), "the court's power to grant injunctive relief survives discontinuance of the illegal conduct." *United States v. W. T. Grant Co.*, 345 U.S. 629, 633 (1953). "The necessary determination is that there exists some cognizable danger of recurrent violation, something more than the mere possibility which serves to keep the case alive." *Id.* In making this determination, the district court's "discretion is necessarily broad and a strong showing of abuse must be made to reverse it. To be considered are the bona fides of the expressed intent to comply, the effectiveness of the discontinuance and, in some cases, the character of the past violations." *Id.* The Ninth Circuit has

discussed “the factors that are important in predicting the likelihood of future violations” as follows:

the degree of scienter involved; the isolated or recurrent nature of the infraction; the defendant’s recognition of the wrongful nature of his conduct; the extent to which the defendant’s professional and personal characteristics might enable or tempt him to commit future violations; and the sincerity of any assurances against future violations.

*Fed. Election Comm’n v. Furgatch*, 869 F.2d 1256, 1263 n.5 (9th Cir. 1989). These factors are in addition to “the commission of past illegal conduct, [which] is highly suggestive of the likelihood of future violations.” *Id.*

Considering these factors, whether as articulated by the Supreme Court in *W.T. Grant* or the Ninth Circuit in *Furgatch*, the Federal Defendants’ voluntary cessation of conduct<sup>13</sup> does not demonstrate effective discontinuance and serious questions remain with respect to the likelihood of Plaintiffs’ future injury. In addition, under the *W.T. Grace* factors, there has been no expressed intent by the Federal Defendants to comply with the Court’s TRO. To the contrary, the Federal Defendants have stated that the order is “offensive” and that it “shouldn’t affect anything [the Federal Defendants are ] doing” in Portland. ECF 147-6 at 3 (statement by Acting Deputy

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<sup>13</sup> The Federal Defendants argue that they have not voluntarily ceased conduct because they dispute that they have engaged in any unlawful conduct. Regardless of how they characterize the lawfulness of their conduct, however, their argument is that because of the changed circumstances, Plaintiffs can no longer show irreparable injury. The changed circumstances on which the Federal Defendants rely, however, is the agreement between state and federal authorities that the federal officers would “stay in the building” and state and local police would take over more direct policing. The specifics of this agreement have been redacted by the Federal Defendants. *See* ECF 147-8 at 2. According to White House Senior Advisor Stephen Miller, however, the agreement does not include a “phased withdrawal.” ECF 147-5 at 2. Nonetheless, this agreement and the Federal Defendants’ voluntary change in enforcement as a result of the agreement is the voluntary cessation triggering the changed circumstances on which the Federal Defendants rely. Thus, the Court must analyze whether it supports the Federal Defendants’ assertion that there no longer exists a cognizable risk of recurrent violations.

Secretary Ken Cuccinelli). Also, as reflected in Plaintiffs' motion for contempt, despite the issuance of the TRO, the Federal Defendants appear to have engaged in at least some conduct that continues to target journalists and legal observers in violation of the Court's TRO. This raises concerns regarding future conduct if there is no injunction in place, because even with a Court order in place, improper conduct appears to have continued. Regarding the effectiveness of the Federal Defendants' stated discontinuance, as discussed above, it is not very effective while the out-of-town federal agents remain in Portland because the discontinuance is terminable at will by the Federal Defendants and, thus, only temporary. Finally, the character of the recent past violations by the Federal Defendants in Portland is particularly egregious.

Considering the Ninth Circuit's *Furgatch* factors, first, the Federal Defendants' past violations are highly suggestive of future harm. Second, the degree of scienter involved is high for violations triggering the requested injunctive relief, because it relates to targeting of journalists and legal observers and not merely incidental harm to them during crowd control. Further, because Plaintiffs agreed to the modification to the injunction that journalists and legal observers stay to the side, the risk of incidental targeting is diminished. Third, the occurrences were not isolated—Plaintiffs provided significant evidence of numerous journalists and legal observers who were targeted by the Federal Defendants. Indeed, several of the witnesses have experience reporting in war zones around the world and at violent protests in Hong Kong, Oakland, and Seattle. They emphasize how they have never been shot at or tear gassed until coming to Portland. Fourth, the Federal Defendants have not recognized the wrongful nature of their conduct but instead assert that they have only engaged in lawful conduct. They have not disciplined any federal agent or officer for any conduct. They moved to dissolve the TRO after Plaintiffs moved for contempt. The Federal Defendants, unlike the City of Portland, also did not

stipulate to preliminary injunctive relief. Fifth, given the disdainful comments publicly made by the highest officials at the Federal Defendants with respect to journalists, legal observers, Plaintiffs, protesters, and the City of Portland, the professional and personal characteristics of the Federal Defendants show that they are likely to be enabled or tempted to engage in future violations. Finally, there have not been sincere assurances given against future violations. Accordingly, considering these factors, the Court finds that Plaintiffs have made a sufficient showing of threatened future violations by the Federal Defendants causing sufficiently likely irreparable injury to Plaintiffs before a decision on the merits can be issued.

### **3. Public Interest and Balance of the Equities**

When the government is a party, the last two factors of the injunction analysis merge. *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014). Regarding the public interest, “[c]ourts considering requests for preliminary injunctions have consistently recognized the significant public interest in upholding First Amendment principles.” *Associated Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) (quotation marks omitted). Further, “it is always in the public interest to prevent the violation of a party’s constitutional rights.” *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quotation marks omitted) (granting an injunction under the Fourth Amendment). Regarding balancing the equities, when a plaintiff has “raised serious First Amendment questions,” the balance of hardships “tips sharply in [the plaintiffs’] favor.” *Cnty. House, Inc. v. City of Boise*, 490 F.3d 1041, 1059 (9th Cir. 2007) (alterations in original) (quotation marks omitted).

The Federal Defendants argue that the normal evaluation of these factors in favor of a plaintiff who is likely to succeed on a First Amendment claim does not apply in this case because the government’s countervailing interests outweigh Plaintiffs’ First Amendment concerns. The Federal Defendants assert the government’s interest in protecting federal property, ensuring the

safety of federal officers and other personnel, maintaining public order on federal property, and securing the federal courthouse so that it remains open and accessible to the public. The first three relate to protecting the courthouse and federal officers, and the final interest relates to providing access to the public.

Regarding protection of the courthouse and officers, the Federal Defendants rely on evidence that persons self-identifying as press have engaged in purported misconduct. The Court has reviewed all the video and other evidence submitted by the Federal Defendants in support of their contentions relating to alleged misconduct of persons self-identifying as press after the issuance of the TRO on July 23, 2020. Much of this evidence is ambiguous or shows that persons self-identifying as press have intermixed with protesters, have run toward the fence around the federal courthouse and stopped, have not actually been press but merely donned clothing (for one night) marked “press” hoping to avoid violence by federal officers, or simply have stood by while unlawful conduct was engaged in by others. This is not unlawful conduct.

There is evidence, however, that a few individual persons wearing press indicia on their clothing or hats or helmets (often handwritten), who generally are described by the Federal Defendant declarants as not otherwise engaging in any conduct such as reporting, notetaking, photographing, or recording, have engaged in the following activities: entering courthouse property after the fence was breached and encouraging others to do the same; helping another person to breach the fence; shining a flashlight at a police helicopter; kicking a police officer; shielding protesters from law enforcement; and throwing an object at law enforcement. This is inappropriate conduct, and much of it may be unlawful. The Court shares the Federal Defendants’ concerns for the safety of federal officers, particularly considering the more than 100 injuries that have been sustained by federal offices to date. But as discussed above in the



context of workability, the preliminary injunction does not protect unlawful conduct, and federal officers may arrest anyone, even persons with indicia of press, who are engaging in such conduct.

Further, the preliminary injunction has provisions that expressly address these concerns, including providing that one indicia of press or authorized legal observer status is that they stay to the side and do not intermix with protesters and that press and legal observers may not impede, block, or interfere with law enforcement. Concern over potential unlawful conduct thus does not alter the analysis of traditional public interest factors or the balance of equities.

Moreover, the Court must balance and weigh the equities and public interest. The fact that a few people may have engaged in some unlawful conduct does not outweigh the important First Amendment rights of journalists and legal observers and the public for whom they act as surrogates. Further, there is no evidence that any of the named Plaintiffs engaged in any of the purported unlawful conduct described by the Federal Defendants.

The Federal Defendants' final argument is that the government's interest in preserving physical access to courts outweighs Plaintiffs' interests. That argument also is without merit. The relevant protests are happening after business hours, and there is no indication that allowing journalists and legal observers to stay despite a general dispersal order interferes with public access. Thus, none of the government's proffered interests outweigh the public's interest in receiving accurate and timely reporting, video, and photographic information about the protests and how law enforcement is treating protestors. There also is no need to alter the traditional analysis recognizing the significant public interest in First Amendment rights and that in such cases the balance of the equities tips sharply in favor of the plaintiff. *See Otter*, 682 F.3d at 826; *Cnty. House*, 490 F.3d at 1059.

#### **4. Conclusion**

The Court GRANTS Plaintiffs' motion for preliminary injunction against the Federal Defendants (ECF 134) and Orders as follows:

#### **PRELIMINARY INJUNCTION**

1. The Federal Defendants, their agents and employees, and all persons acting under their direction are enjoined from arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), unless the Federal Defendants have probable cause to believe that such individual has committed a crime. For purposes of this Order, such persons shall not be required to disperse following the issuance of an order to disperse, and such persons shall not be subject to arrest for not dispersing following the issuance of an order to disperse. Such persons shall, however, remain bound by all other laws. No Journalist or Legal Observer protected order this Order, however, may impede, block, or otherwise physically interfere with the lawful activities of the Federal Defendants.

2. The Federal Defendants, their agents and employees, and all persons acting under their direction are further enjoined from seizing any photographic equipment, audio- or video-recording equipment, or press passes from any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person consistent with this Order. Except as expressly provided in Paragraph 3 below, the Federal Defendants must return any seized equipment or press passes immediately upon release of a person from custody.

3. If any Federal Defendant, their agent or employee, or any person acting under their direction seize property from a Journalist or Legal Observer who is lawfully arrested

consistent with this Order, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer. If equipment seized in connection with an arrest of a Journalist or Legal Observer lawfully seized under this Order is needed for evidentiary purposes, the Federal Defendants shall promptly seek a search warrant, subpoena, or other court order for that purpose. If such a search warrant, subpoena, or other court order is denied, or equipment seized in connection with an arrest is not needed for evidentiary purposes, the Federal Defendants shall immediately return it to its rightful possessor.

4. To facilitate the Federal Defendants' identification of Journalists protected under this Order, the following shall be considered indicia of being a Journalist: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. It also shall be an indicium of being a Journalist under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements. These indicia are not exclusive, and a person need not exhibit every indicium to be considered a Journalist under this Order. The Federal Defendants shall not be liable for unintentional violations of this Order in the case of an individual who does not carry or wear a press pass, badge, or other official press credential, professional gear, or distinctive clothing that identifies the person as a member of the press.

5. To facilitate the Federal Defendants' identification of Legal Observers protected under this Order, the following shall be considered indicia of being a Legal Observer: wearing a

green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. It also shall be an indicium of being a Legal Observer protected under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements.

6. The Federal Defendants are not precluded by the Order from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons. The Federal Defendants shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

7. Plaintiffs and the Federal Defendants shall promptly confer regarding how the Federal Defendants can place unique identifying markings (using numbers and/or letters) on the uniforms and/or helmets of the officers and agents of the Federal Defendants who are specially deployed to Portland so that they can be identified at a reasonable distance and without unreasonably interfering with the needs of these personnel. Based on the Court's understanding that Deputy U.S. Marshals and Courtroom Security Officers stationed in Portland who are under the direction of the U.S. Marshal for the District of Oregon are not part of the force that has given rise to events at issue in the lawsuit, they are exempt from this requirement. Agents wearing plain clothes and assigned to undercover duties also are exempt from this requirement. If the parties agree on a method of marking, they shall submit the terms of their agreement in writing to the Court, and the Court will then issue a modified preliminary injunction that incorporates the parties' agreement. If the parties cannot reach agreement within 14 days, each party may submit its own proposal, and each side may respond to any other party's proposal

within seven days thereafter. The Court will resolve any disputes on this issue and modify this preliminary injunction appropriately.

8. To promote compliance with this Preliminary Injunction, the Federal Defendants are ordered to provide copies of the verbatim text of the first seven provisions of this Preliminary Injunction, in either electronic or paper form, within 14 calendar days to: (a) all employees, officers, and agents of the Federal Defendants currently deployed in Portland, Oregon (or who later become deployed in Portland, Oregon while this Preliminary Injunction is in force), including but not limited to all personnel in Portland, Oregon who are part of Operation Diligent Valor, Operation Legend, or any equivalent; and (b) all employees, officers, and agents of the Federal Defendants with any supervisory or command authority over any person in group (a) above.

9. Plaintiffs need not provide any security, and all requirements under Rule 65(c) of the Federal Rules of Civil Procedure are waived.

10. The Court denies the oral motion by the Federal Defendants to stay this preliminary injunction.

**IT IS SO ORDERED.**

DATED this 20th day of August, 2020.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 10/13/2020 12:40:43 PM  
**To:** SRTHQ (b)(7)(E)  
(b)(7)(E)  
**Subject:** FW: Index Newspapers -- Portland Civil Unrest Litigation -- Stay of Preliminary Injunction Denied by Ninth Circuit  
**Attachments:** Index Newspapers Portland Civil Unrest Preliminary Injunction 8-20-20.pdf; PI Guidance - Index Newspapers.pdf; Index Newspapers Portland Civil Unrest Stay of Preliminary Injunction Denied by Ninth Circuit 10-9-20.pdf

(b)(6), (b)(7)(C)  
Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



**From:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)  
**Sent:** Sunday, October 11, 2020 6:10 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
**Subject:** FW: Index Newspapers -- Portland Civil Unrest Litigation -- Stay of Preliminary Injunction Denied by Ninth Circuit

FYI. The stay was lifted and the Preliminary Injunction is in effect again. The appeal will continue in the Ninth Circuit, but we must abide by the Preliminary Injunction relating to journalists and legal observers. Let us know if you have any questions. Thank you.

Shelby Stuntz  
Deputy Associate Chief Counsel, LA  
Office of Chief Counsel, US CBP  
(b)(6), (b)(7)(C) (direct)  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (cell)

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**From:** COUREY, MARC BENNETT (OCC) (b)(6), (b)(7)(C)  
**Sent:** Friday, October 9, 2020 5:19 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)







WILLIAM (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C) FALK, SCOTT K  
(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY  
(OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) DOWNS,  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today

Commissioner and Deputy Commissioner – As we relayed last week, on August 20, the U.S. District Court in Oregon issued a Preliminary Injunction pertaining to DHS enforcement activities in Portland relating to journalists and legal observers. One of the terms of the Preliminary Injunction is a requirement to provide verbatim copies of the first seven provisions of the Preliminary Injunction (pages 58-61 of the attached) to (1) all employees, officers and agents currently assigned or deployed in Portland, Oregon as part of Operation Diligent Valor; (2) any employees, officers or agents who are subsequently deployed to Portland, Oregon as part of Operation Diligent Valor; and (3) all employees with any supervisory or command authority over any persons deployed to Portland, Oregon as part of Operation Diligent Valor.

CBP personnel either in or deployed to Portland or with supervisory or command authority over any personnel deployed to Portland as part of Operation Diligent Valor are required to read the seven operative sections of the Preliminary Injunction. Additionally, the attached PI Guidance offers explanation and context of each section of the PI. (b)(5)

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

\*\* Attorney Work Product / Attorney Client Privileged \*\*

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Thursday, August 20, 2020 8:33 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,  
RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd  
C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C) FALK, SCOTT K  
(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY  
(OCC) (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)  
COLLEEN (OCC) (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today

Commissioner and Deputy Commissioner – This afternoon, Judge Simon issued the attached Preliminary Injunction against the U.S. Government, including the Department of Homeland Security. The terms of the Preliminary Injunction are very similar to those outlined in the Temporary Restraining Order issued on July 23 and extended on August 6. In short, the Federal Defendants are enjoined from the following:

1. Arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer, unless the Federal Defendants have probable cause to believe that such individual has committed a crime. Further, Journalists and Legal Observers are not required to disperse following the issuance of an order to disperse.

2. Seizing any photographic equipment or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person.
3. If Federal Defendants seize property from a Journalist or Legal Observer, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer.
4. The Judge outlined what might be considered indicia of being a Journalist to include: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. Of note, the Judge also indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities, would also equate to indicia of being a Journalist. This was a modification to the TRO terms.
5. The Judge also outlined what might be considered indicia of being a Legal Observer to include: wearing a green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. Again, the Judge indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities would also equate to indicia of being a Legal Observer. This was a modification to the TRO terms.
6. The Federal Defendants are not precluded from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons and shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

A matter of contention and extensive testimony through declarations included whether Federal Defendants would be ordered to wear additional unique identifying markings. Judge Simon ordered the parties to confer regarding the placement of unique identifying markings on uniforms and/or helmets so that they can be identified at a reasonable distance and without unreasonably interfering with the operational needs of the officers/agents. (b)(5)

(b)(5)

Finally, we were ordered to provide the terms of the Preliminary Injunction to the officers/agents (and their supervisors) currently operating within Portland in support of FPS within 14 days. (b)(5)

(b)(5)

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
 CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~Attorney Work Product / Attorney-Client Privileged~~

**From:** COUREY, MARC BENNETT (OCC) (b)(6), (b)(7)(C)  
**Sent:** Thursday, August 6, 2020 7:06 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C); ORTIZ, RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C); Owen, Todd C (EAC OFO); (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C); FALK, SCOTT K (OCC); (b)(6), (b)(7)(C); WILLIAMS, MARTA (OCC); (b)(6), (b)(7)(C); STUNTZ, SHELBY (OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); FERRARA, WILLIAM (b)(6), (b)(7)(C); JACKSTA, LINDA L (b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- TRO Extended

Commissioner and Deputy Commissioner – The attached Temporary Restraining Order that was issued on July 23, 2020, against the U.S. Government, including the Department of Homeland Security, was extended by Judge Simon today for an additional 14 days. This extended TRO will expire on August 20 at 5:00pm PT. Judge Simon denied our motion for reconsideration wherein we argued that the TRO was unworkable for various reasons, including that demonstrators were masquerading as press and perpetrating acts of violence.

The Preliminary Injunction Hearing is calendared for August 18. (b)(5)

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)  
~~Attorney Work Product / Attorney-Client Privileged~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Thursday, July 23, 2020 7:14 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C); PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C); SCOTT, RODNEY S (b)(6), (b)(7)(C); ORTIZ, RAUL L (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C); Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C); FALK, SCOTT K (OCC) (b)(6), (b)(7)(C); WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C); STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C); (OCC) (b)(6), (b)(7)(C); (OCC) (b)(6), (b)(7)(C); (OCC) (b)(6), (b)(7)(C); (OCC) (b)(6), (b)(7)(C); FERRARA, WILLIAM (b)(6), (b)(7)(C); JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- TRO Likely/Imminent

Commissioner and Deputy Commissioner – The hearing for the *Index Newspapers* TRO was held earlier today in Portland and we wanted to provide you a brief summary and also notify you of the likelihood that a 14-day TRO will be granted with regard to the use of force and arrests against and of journalists and legal observers. Present at the hearing was attorney Matthew Borden for the plaintiffs and Main DOJ Civil (attorney Andrew Warden) representing the Government. The plaintiffs argued they have presented voluminous evidence (approximately 20 declarations) showing the federal defendants are harming identifiable journalists and legal observers in Portland, chilling free speech. The plaintiffs further argued they will suffer harm in the future because they are continuing to attend these protests and have suffered similar harm even after the TRO was filed.

DOJ argued, as it did at the Oregon AG TRO hearing yesterday, that a TRO would chill officers from making split-second decisions necessary to protect themselves and federal property. DOJ also argued that there is no evidence the federal defendants targeted or retaliated against any individual because the individual is a journalist or legal observer. DOJ further argued that extending the judge’s TRO against the City of Portland to the federal defendants would be unworkable. Under that TRO, journalists and legal observers with certain identifiable characteristics are not required to disperse when the City issues a crowd control order. DOJ argued that officer safety would be at risk if the federal defendants’ agents need to take extra time to determine whether an individual is a protestor, who must disperse, or a journalist, who may remain. Finally, DOJ argued the plaintiffs have other forms of relief available to them, such as *Bivens* claims, which are more appropriate than a TRO.

Judge Simon went through a series of questions and made comments that appeared damaging to the Government’s arguments. Judge Simon asked whether DOJ had any evidence that journalists or legal observers caused any damage to

federal property. DOJ indicated it had no such evidence. The Judge then pointed out that when someone is identified as a journalist and there is no probable cause to believe the individual committed any crime and the individual is then shot at with rubber bullets, the harm can reasonably be inferred to be because the individual is a journalist. Next, the Judge asked the Government why a TRO with language mirroring the TRO issued against the City would be unworkable when that TRO has worked well and led to a stipulated preliminary injunction between the plaintiffs and the City that includes much of the same language. To make his point further, he allowed the City to speak about how well the order was working. In a remarkable development, the City relayed its support of the plaintiffs' request for a TRO against the federal defendants. DOJ did not have a direct response to this point.

Seeing the writing on the wall, DOJ attempted to limit the scope of such an order, arguing there was no need for prohibiting the arrest of journalists or the taking of their equipment because there is no evidence the federal defendants have engaged in those activities. DOJ also asked for there to be a specific intent component to the TRO. Judge Simon noted these arguments but appeared to signal he would issue a TRO with similar language to the TRO issued against the City.

Judge Simon clearly indicated that he is inclined to issue a TRO and noted the importance of journalists providing the public with information about events involving the Government. DOJ argued that it would prefer a preliminary injunction, which it could immediately appeal. Judge Simon indicated that he would likely issue a TRO. The Judge also indicated that he is willing to work with the parties if the TRO proves unworkable. (b)(5)

(b)(5)

We will keep you posted. Please let us know if you have questions or if you would like to discuss. Thanks very much.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Monday, July 20, 2020 8:27 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd

C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K

(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY

(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA,

WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- TRO Motion Filed in District of Oregon

Commissioner and Deputy Commissioner -- We write to update you on the temporary restraining order request filed in Portland against DHS and the U.S. Marshals Service on Friday, July 17. As you may be aware, on June 28, several journalists and legal observers filed a class action complaint against the City of Portland alleging that police officers used force to dissuade and prevent them from covering protests after the death of George Floyd. The news organization, Index Newspapers LLC, was later added as a plaintiff. The plaintiffs obtained a TRO against Portland on July 2. The TRO indicated that Portland police officers may not arrest, threaten to arrest, or use force against journalists or legal observers unless they have probable cause to believe that the journalist or legal observer has committed a crime, and that journalists and legal observers may remain at the scene of a protest after officers give an order for protestors to disperse. Additionally, the TRO indicates that officers shall not seize photographic or audio recording equipment from journalists or legal observers.

Late Friday, July 17, the plaintiffs amended their complaint to add DHS and USMS as defendants and subsequently requested a TRO against the federal defendants. The TRO requests essentially the same injunctive relief that the Court granted in its TRO against the Portland Police. In their request for a TRO, the plaintiffs allege that journalist Mathieu Lewis-Roland was covering protests near the Portland federal courthouse in the early hours of July 12, wearing a t-shirt that clearly identified him as press. The plaintiffs further allege that when federal agents emerged from the courthouse to disperse protesters they ventured off federal property, "chased" Mr. Lewis-Roland, and shot him ten times in the side and back with plastic bullets, causing "wounds, lacerations, and contusions." The plaintiffs separately allege that journalist Garrison Davis was covering the same protest wearing a press helmet and carrying a visible press pass. The plaintiffs allege federal agents fired a canister of tear gas into Mr. Davis' back and "shot directly at him with pepper bullets and other munitions."

To obtain a TRO, the plaintiffs must establish (1) a likelihood of success on the merits of their claim for injunctive relief; (2) a likelihood of irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in their favor; and (4) a preliminary injunction is in the public interest. The plaintiffs argue they will succeed on the merits because they were engaged in First Amendment-protected activities at a public location and that the federal defendants retaliated against them for participation in those activities. The plaintiffs appear to argue that the fact the federal defendants knew they were engaged in these activities and then proceeded to shoot at them anyway constitutes retaliation. The plaintiffs argue that there is a high likelihood of irreparable harm, as well as a public interest in granting the TRO, because the federal defendants' actions prevent the plaintiffs from documenting the protests and the conduct of the federal defendants at those protests.

The DHS opposition to the TRO motion is due at 5:00pm PT tomorrow, and the plaintiff's reply is due on Wednesday. The Court will hold a hearing on the TRO motion on Thursday, July 23.

(b)(5)

(b)(5)

Please let us know if you have questions or would like to discuss. We will continue to keep you posted regarding significant developments in this litigation.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~

FILED

OCT 9 2020

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

INDEX NEWSPAPERS LLC, DBA  
Portland Mercury; DOUG BROWN;  
BRIAN CONLEY; SAM GEHRKE;  
MATHIEU LEWIS-ROLLAND; KAT  
MAHONEY; SERGIO OLMOS; JOHN  
RUDOFF; ALEX MILAN TRACY;  
TUCK WOODSTOCK; JUSTIN YAU,  
and those similarly situated,

Plaintiffs-Appellees,

v.

UNITED STATES MARSHALS  
SERVICE; U.S. DEPARTMENT OF  
HOMELAND SECURITY,

Defendants-Appellants,

and

CITY OF PORTLAND, a municipal  
corporation; JOHN DOES, 1-60;  
individual and supervisory officers of  
Portland Police Bureau and other agencies  
working in concert,

Defendants.

No. 20-35739

D.C. No. 3:20-cv-01035-SI  
District of Oregon,  
Portland

ORDER

Before: O'SCANNLAIN, RAWLINSON, and CHRISTEN, Circuit Judges.

Order by Judges RAWLINSON and CHRISTEN, Dissent by Judge O'SCANNLAIN

On May 25, 2020, George Floyd was killed by a Minneapolis police officer while being arrested. Bystanders on the sidewalk recorded videos of a police officer kneeling on Floyd's neck for several minutes while Floyd begged for his life. A video showing the last minutes of Floyd's life was circulated nationwide, and it ignited protests across the country in support of the Black Lives Matter movement.

This case arises out of the protests in Portland, Oregon. Most of the protests have been peaceful, but some have become violent. There have been incidents of vandalism, destruction of property, looting, arson, and assault, particularly late at night. Since the protests began, state and local authorities in Oregon have actively monitored the protests and engaged in crowd control measures. Plaintiffs—a newspaper organization and individual journalists, photojournalists, and legal observers who have attended the protests to serve as reporters and recorders—filed a class-action complaint against the City of Portland on June 28, 2020.

The complaint alleged that the City's response to the protests violated their rights under the First and Fourth Amendments to the United States Constitution, and Article I, Sections 8 and 26 of the Oregon Constitution. Specifically, plaintiffs asserted that although they had not participated in the protests, the local authorities shot them with less-lethal munitions (pepper balls, impact munitions, paint

markers, and tear gas canisters), and pepper sprayed, shoved, and otherwise prevented them from recording and reporting on the protests and on law enforcement's response to the same. Four days after the complaint was filed, on July 2, the district court entered a temporary restraining order (TRO) against the City regulating the local authorities' use of crowd-control tactics against journalists and legal observers. On July 16, the City and plaintiffs stipulated to a preliminary injunction that was largely identical to the TRO.

Many of the protests in Portland have centered around the Mark O. Hatfield Federal Courthouse. In response to the threat to federal property, the Department of Homeland Security (DHS) and the United States Marshals Service (USMS) (collectively, the Federal Defendants) deployed federal law enforcement agents to Portland. It appears undisputed that the intensity of the protests escalated after the Federal Defendants arrived.

Plaintiffs filed a second amended complaint on July 17 joining as defendants DHS and USMS. This complaint alleged that the Federal Defendants "intentionally targeted and used physical force and other forms of intimidation against journalists and authorized legal observers for the purpose of preventing or deterring them from observing and reporting on unreasonably aggressive treatment



of lawful protestors.” The district court entered a TRO against the Federal Defendants on July 23.

On July 29, 2020, DHS and the State of Oregon reached an agreement regarding their respective crowd control efforts. The agreement is not part of the record, but the district court described it as generally providing that the City would take the lead in responding to the protests. The court’s findings also made clear that the agreement contains numerous caveats and is terminable at any time, without notice. Though the agreement was to take effect on July 29, the district court observed that the record includes video clips that purport to show federal agents firing tear gas and less-lethal munitions at journalists standing on SW Main Street on July 29 and into the morning of July 30. The district court found that “there was no one nearby on the street but numerous federal enforcement officers and six journalists when the munitions were deployed.”

The Federal Defendants assert that the Oregon State Police are no longer enforcing crowd control in Portland, and that the Portland Police are currently filling that role instead. But it is clear that the federal agents have remained in

Portland, and Acting Secretary of DHS, Chad Wolf, stated that “no determination of timetables for reduction in protective forces has yet been made.”<sup>1</sup>

On August 10, plaintiffs filed a motion for a preliminary injunction against the Federal Defendants. After briefing was complete, the parties stipulated that the court could base its decision on the record and the parties’ arguments without holding an evidentiary hearing. The record comprises dozens of declarations, many of which include photographs and links to video files. The district court issued a detailed, sixty-one page order granting plaintiffs’ motion on August 20 and entered a preliminary injunction with terms largely identical to the terms of the July 23 TRO.

The district court’s order began by observing that the Constitution reserves the general police power to the states, and pursuant to the general police power, local officials have the authority to issue general dispersal orders on the public streets and sidewalks. The court noted that the City had separately stipulated that it would not require members of the press or legal observers to disperse, and

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<sup>1</sup> On July 28, plaintiffs filed a motion for a finding of contempt and imposition of sanctions against the Federal Defendants, alleging several violations of the July 23 TRO. The district court has not yet ruled on the motion, but noted “serious concerns” that the Federal Defendants had not complied with the July 23 TRO, and that some of the alleged misconduct occurred after the Federal Defendants reached the agreement with Governor Brown.

explained that the Federal Defendants did not assert the authority to issue general dispersal orders to clear city streets and that the statutory authority the Federal Defendants relied upon did not so provide. The court's order recounts the Federal Defendants' position, which was that federal officers had been dispatched to Portland with the stated mission to protect federal property and personnel. Nevertheless, the district court was confronted with compelling photographic evidence showing that federal officers "routinely have left federal property and engaged in crowd control and other enforcement on the streets, sidewalks and parks of the City of Portland." The court's order detailed several of the dozens of declarations, photos, and video clips introduced into evidence to support plaintiffs' contention that at least some of the federal officers had intentionally targeted journalists and legal observers in retaliation for their news-reporting efforts.

Having explained that local officials had separately stipulated they were not requiring journalists and legal observers to disperse, the preliminary injunction entered to address the Federal Defendants' conduct states that journalists and legal observers "shall not be subject to arrest for not dispersing following the issuance of an order to disperse." The order states that journalists and legal observers may not impede, block, or otherwise physically interfere with the lawful activities of the Federal Defendants, and recognizes that the Federal Defendants are free to issue

“*otherwise* lawful crowd-dispersal orders for a variety of lawful reasons;” i.e. crowd-dispersal orders not issued to clear city streets and sidewalks. The preliminary injunction also requires that journalists and observers “must comply with all laws other than general dispersal orders.”

Because the Federal Defendants argued that some protestors had masqueraded as members of the press by wearing press badges or clothing identifying them as members of the press corps, the order provides that it does not protect unlawful conduct and that anyone, even a person who appears to be a journalist, is subject to arrest for engaging in such conduct. Finally, the injunction sets out a number of indicia to assist the Federal Defendants in distinguishing between journalists, legal observers, and protesters. These indicia include visual identifiers such as press passes, people standing off to the side of protests not engaging in protest activities, people not intermixed with protest activities, and people carrying professional-grade photographic equipment. The order requires that the Federal Defendants’ uniforms bear marks allowing federal officers to be identified. The injunction also provides that if a journalist or legal observer is incidentally exposed to crowd-control devices after remaining in the area where such devices are deployed to enforce a lawful dispersal order, the Federal Defendants will not be liable for violating the injunction.

On August 25, the district court denied the Federal Defendants’ motion for a stay of the preliminary injunction pending appeal, principally concluding that the Federal Defendants had not shown a sufficient likelihood that they would suffer irreparable injury absent a stay. On appeal, a divided three-judge motions panel issued a brief, two-page order on August 27 granting the Federal Defendants’ motion for an administrative stay of the injunction pending resolution of their emergency motion for a stay pending appeal.

Having considered the parties’ complete briefing, and after hearing oral argument, we conclude that the Federal Defendants have not shown a strong likelihood of success on the merits. The Federal Defendants also failed to demonstrate they are likely to suffer irreparable injury if the preliminary injunction is not stayed pending appeal. Accordingly, we deny the Federal Defendants’ emergency motion.

## I

“A stay is not a matter of right, even if irreparable injury might otherwise result to the appellant.” *Virginian Ry. Co. v. United States*, 272 U.S. 658, 672 (1926). “The party requesting a stay bears the burden of showing that the circumstances justify an exercise of that discretion.” *Nken v. Holder*, 556 U.S. 418, 433–434 (2009).

To decide whether to grant the Federal Defendants’ motion for a stay pending appeal, our case law requires that we consider: (1) whether the Federal Defendants have made a strong showing that they are likely to succeed on the merits; (2) whether the Federal Defendants will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies. *Id.* at 426.

To decide whether the Federal Defendants have demonstrated a likelihood that they will succeed on the merits of their claims, we review the district court’s findings of fact for clear error, its legal conclusions de novo, and the injunction’s scope for abuse of discretion. *Armstrong v. Brown*, 768 F.3d 975, 979 (9th Cir. 2014); *Walters v. Reno*, 145 F.3d 1032, 1047 (9th Cir. 1998) (“A district court’s factual findings are entitled to deference unless they are clearly erroneous.”).

## II

The bar for obtaining a stay of a preliminary injunction is higher than the *Winter* standard for obtaining injunctive relief. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). We have explained that the first two *Nken* factors are the most critical, and that the second two factors are only considered if the first two factors are satisfied. *Nken*, 556 U.S. at 434–35; *Al Otro Lado v. Wolf*, 952 F.3d 999, 1007 (9th Cir. 2020). The Federal Defendants must show a *strong* likelihood

of success on the merits. *Doe #1 v. Trump*, 957 F.3d 1050, 1062 (9th Cir. 2020).

And “simply showing some possibility of irreparable injury fails to satisfy the second factor.” *Nken*, 556 U.S. at 434–35 (internal citations and quotations omitted). The demanding standard applicable here requires that the Federal Defendants show “that irreparable injury is likely to occur during the period before the appeal is decided.” *Doe #1*, 957 F.3d at 1059.

### A

The Federal Defendants argue they are likely to succeed on the merits for three reasons. First, they argue plaintiffs lack standing to pursue injunctive relief on their First Amendment retaliation claim because plaintiffs have not shown a sufficient likelihood that they will be deprived of their constitutional rights if the Federal Defendants’ crowd control measures are not subject to the district court’s preliminary injunction pending appeal. Second, they argue they will succeed on the merits of plaintiffs’ retaliation claim because there is no evidence to support the district court’s conclusion that plaintiffs’ protected activity was a substantial or motivating factor that prompted the Federal Defendants’ actions to disperse them. Third, the Federal Defendants argue they are likely to succeed on plaintiffs’ First Amendment right-of-access claim because the press and legal observers have no First Amendment right to access the streets and sidewalks where the protests are

staged if the Federal Defendants order them to disperse. For these three reasons, the Federal Defendants argue they are entitled to a stay of the preliminary injunction pending appeal.<sup>2</sup>

1

Three elements make up the “irreducible constitutional minimum of standing”: (1) injury in fact; (2) a causal connection between the injury and the conduct complained of; and (3) a likelihood that the injury will be redressed by a favorable decision. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–561 (1992). Here, only the “injury in fact” element is disputed.

“A plaintiff threatened with future injury has standing to sue ‘if the threatened injury is certainly impending, or there is a substantial risk the harm will occur.’” *In re Zappos.com, Inc.*, 888 F.3d 1020, 1024 (9th Cir. 2018) (quoting *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 158 (2014)). A plaintiff may not rely “on mere conjecture about possible governmental actions” to demonstrate injury, and must instead present “concrete evidence to substantiate their fears.”

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<sup>2</sup> Our case law has frequently observed the importance of the press as surrogates for the public, but we have not considered whether legal observers serve the same function. Neither the parties nor the district court focused on whether the legal observers’ right of access differs from the one enjoyed by the press. Because we do not need to decide this question in order to rule on the emergency motion for a stay, we leave it for another day.



*Clapper v. Amnesty Int'l USA*, 568 U.S. 398, 420 (2013). “Past exposure to illegal conduct does not in itself show a present case or controversy regarding injunctive relief . . . if unaccompanied by any continuing, present adverse effects.” *City of Los Angeles v. Lyons*, 461 U.S. 95, 102 (1983) (quoting *O’Shea v. Littleton*, 414 U.S. 488, 495–96 (1974)).

The Federal Defendants’ standing argument relies primarily on *Lyons*, a case involving a claim for injunctive relief asserted by a man who had been subjected to a chokehold by police officers. *Id.* at 102. In *Lyons*, the Court explained that to establish standing, the plaintiff was required to “credibly allege that he faced a realistic threat from the future application of the City’s [chokehold] policy.” *Id.* at 106 n.7. Because Lyons had not been subjected to a second chokehold in the time before he filed his federal complaint, the Supreme Court concluded that his assertion that he might face such abuse in the future was premised on a speculative sequence of events. *Id.* at 105–06. The Supreme Court explained that Lyons did not have standing to pursue equitable relief barring the use of chokeholds because “[p]ast exposure to illegal conduct does not in itself show a present case or controversy regarding injunctive relief . . . if unaccompanied by any continuing, present adverse effects.” *Id.* at 102 (emphasis added) (citation omitted).

Here, plaintiffs' injuries are different for several reasons. First, their risk of future injury is not speculative. Plaintiffs introduced powerful evidence of the Federal Defendants' ongoing, sustained pattern of conduct that resulted in numerous injuries to members of the press between the date the complaint was filed and the date the district court entered its preliminary injunction. The district court's preliminary injunction included twelve pages solely dedicated to factual findings that describe in detail dozens of instances in which the Federal Defendants beat plaintiffs with batons, shot them with impact munitions, and pepper sprayed them. The court's findings were supported by nineteen declarations and video and photographic evidence. The Federal Defendants do not argue that any of the district court's findings are clearly erroneous, and we conclude the findings are amply supported.

As of the time the preliminary injunction was entered, the district court found that the Federal Defendants had engaged in a pattern of conduct that had persisted for weeks and was ongoing. After reviewing plaintiffs' declarations, photos, and video clips, the district court found that many victims had been standing on public streets, sidewalks, and parks, well away from protestors, and were not engaged in unlawful activity when they were shot, tear gassed, shoved, or pepper sprayed by the Federal Defendants. Unlike *Lyons*, the district court found

that some journalists and legal observers monitoring the protests had been injured by the Federal Defendants more than once. The district court’s findings are compelling because “the possibility of recurring injury ceases to be speculative when actual repeated incidents are documented.” *Thomas v. Cnty. of Los Angeles*, 978 F.3d 504, 507 (9th Cir. 1992) (internal quotation marks omitted).

The nature of plaintiffs’ injuries also sharply differs from the substantive due process injury asserted in *Lyons*. Plaintiffs allege that the Federal Defendants’ crowd-control measures have “chilled” the exercise of their First Amendment rights, and that this First Amendment injury is ongoing. A chilling of First Amendment rights can constitute a cognizable injury, so long as the chilling effect is not “based on a fear of future injury that itself [is] too speculative to confer standing.” *Munns v. Kerry*, 782 F.3d 402, 410 (9th Cir. 2015) (citing *Clapper*, 568 U.S. at 417–18); *Libertarian Party of L.A. Cty. v. Bowen*, 709 F.3d 867, 870 (9th Cir. 2013) (“[A]s the Supreme Court has recognized, a chilling of the exercise of First Amendment rights is, itself, a constitutionally sufficient injury.”).

The district court agreed that the Federal Defendants’ targeting of the plaintiffs chilled their First Amendment rights, and after analyzing the factors prescribed by *Furgatch*, the court concluded that the Federal Defendants’ conduct

was likely to continue.<sup>3</sup> *Fed. Election Comm'n v. Furgatch*, 869 F.2d 1256, 1263 n.5 (9th Cir. 1989). The district court issued a lengthy and detailed order and the Federal Defendants do not challenge its factual findings. On this record, we conclude the Federal Defendants have not made a strong showing that their standing argument is likely to succeed, and have not shown that the district court abused its discretion by entering a preliminary injunction. This cuts against the emergency motion for a stay pending appeal.

2

We also conclude the Federal Defendants have not made the strong showing required by *Nken* that they are likely to succeed on the merits of plaintiffs' First Amendment retaliation claim. For this claim, plaintiffs were required to show that they were engaged in a constitutionally protected activity, the Federal Defendants' actions would chill a person of ordinary firmness from continuing to engage in the protected activity, and the protected activity was a substantial or motivating factor

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<sup>3</sup> *Furgatch* instructs courts to consider five factors when determining whether conduct is likely to occur in the future: (1) the degree of scienter involved; (2) the isolated or recurrent nature of the infraction; (3) the defendant's recognition of the wrongful nature of his conduct; (4) the extent to which the defendant's professional and personal characteristics might enable or tempt him to commit future violations; and (5) the sincerity of any assurances against future violations. *Fed. Election Comm'n v. Furgatch*, 869 F.2d 1256, 1263 n.5 (9th Cir. 1989). The Federal Defendants do not argue that the district court misapplied any of these factors, and we see no error.

in the Federal Defendants’ conduct. *Pinard v. Clatskanie Sch. Dist.* 6J, 467 F.3d 755, 770 (9th Cir. 2006). The Federal Defendants do not contest the first or second elements of the retaliation claim, nor does there appear to be a good faith basis for doing so.<sup>4</sup>

The Federal Defendants only argue that they are likely to succeed on the merits of plaintiffs’ retaliation claim because “plaintiffs have not shown their First Amendment activity was a ‘substantial or motivating factor’ in the government’s conduct.” This element of a First Amendment retaliation claim may be met with either direct or circumstantial evidence, and we have said that it involves questions of fact that normally should be left for trial. *Ulrich v. City & Cty. of San*

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<sup>4</sup> As to the first element, plaintiffs were clearly observing and recording law enforcement activity in public, as the district court found. *Fordyce v. City of Seattle*, 55 F.3d 436, 439 (9th Cir. 1995) (recognizing plaintiff was exercising his “First Amendment right to film matters of public interest” when filming activities of police officers during a public protest march). The First, Third, Fifth, Seventh and Eleventh Circuits have all recognized the public’s First Amendment right to observe and film police activities in public. *See Fields v. City of Philadelphia*, 862 F.3d 353, 359–60 (3d Cir. 2017); *Turner v. Lieutenant Driver*, 848 F.3d 678, 688 (5th Cir. 2017); *Gericke v. Begin*, 753 F.3d 1, 7 (1st Cir. 2014); *ACLU of Illinois v. Alvarez*, 679 F.3d 583, 600 (7th Cir. 2012); *Smith v. City of Cumming*, 212 F.3d 1332, 1333 (11th Cir. 2000). As to the second element of the retaliation claim, the Federal Defendants do not challenge the district court’s finding that being shot with less-lethal munitions like pepper balls, tear gas, and paint-marking munitions, being pepper sprayed at close range, or being shoved by a law enforcement officer would chill a person of ordinary firmness from continuing to exercise their First Amendment rights.

*Francisco*, 308 F.3d 968, 979 (9th Cir. 2002). The district court’s extensive and thorough factual findings provide robust support for its conclusion that plaintiffs’ exercise of their First Amendment rights was a substantial or motivating factor in the Federal Defendants’ conduct. To highlight just four of the district court’s findings:

- On July 29, plaintiff Brian Conley was wearing a photographer’s vest marked “PRESS,” a helmet marked “PRESS,” and was carrying a large camera with an attached LED light and telephoto lens. After reviewing video footage submitted by plaintiffs, the district court found that Conley was filming a line of federal officers moving down the street pepper spraying peaceful protesters—including spraying a woman in the face at point blank range who was on her knees in the middle of the street with her hands up—when, without warning, a federal officer pepper sprayed Conley at point blank range.
- On the night of July 19, Jungho Kim, a photojournalist, was wearing a neon yellow vest marked “PRESS” and a white helmet marked “PRESS” on the front and rear. The district court found that Kim was standing alone, about 30 feet from federal agents, taking photographs, when suddenly and without warning, Kim was shot in the chest, just below his heart with a less-lethal munition. A photograph submitted with Kim’s declaration shows that he was shot where the word “PRESS” was printed on his vest.
- On the night of July 26, Daniel Hollis, a videographer, was wearing a press pass and a helmet marked “PRESS” in bright orange tape, and carrying a large, professional video-recording camera. Hollis was filming a group of federal agents massed outside the federal courthouse. “Almost immediately,” the federal agents shot at him, striking him just left of his groin. He turned and began to run away, but was shot again in the lower back.

- On July 27, Amy Katz, a photojournalist, was wearing a hat and tank top marked “PRESS” and carrying a camera with a telephoto lens while covering the protests. Katz was photographing a federal agent who pushed a man down a flight of stairs while arresting him. Another federal agent physically blocked Katz and tried to stop her from photographing the arrest. Katz stepped to the side to continue photographing the arrest, and the federal agent physically shoved her away.

Plaintiffs’ expert witness, Gil Kerlikowske, provided a declaration supporting the district court’s conclusion that these incidents were retaliatory in nature and did not reflect appropriate crowd-control tactics.<sup>5</sup> Kerlikowske opined that defending the federal courthouse in Portland mainly involves establishing a perimeter around the building, and that there is no need to target or disperse journalists. According to Kerlikowske, in crowd-control situations it is inappropriate to shoot non-lethal munitions at a person’s head, chest, or back. Kerlikowske also opined that pepper balls and tear gas canisters should not be aimed at people at all, as those munitions are intended to be shot at the ground

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<sup>5</sup> The district court found Kerlikowske to be a “qualified, credible, and persuasive expert witness.” Kerlikowske is a former Commissioner of U.S. Customs and Border Protection, served as the Chief of Police in Seattle, Washington for 10 years, and as the Police Commissioner in Buffalo, New York. The district court recognized Kerlikowske’s “substantial training and experience with crowd control and civil unrest in the context of protests [and] use of force in that context,” and observed that Kerlikowske has “led and orchestrated the policing of hundreds of large and potentially volatile protests, many of which were considerably larger than the recent protests in Portland.”

where they explode and release their contents into the air. In his view, virtually all of the journalists' injuries were caused by the improper use of force, including shooting people who were not engaged in threatening acts, and the Federal Defendants' misuse of crowd-control munitions.

All told, the district court's findings describe at least forty-five instances similar to the four highlighted here, and all of them occurred between July 15 and July 30 while plaintiffs were observing and recording the Black Lives Matter protests in downtown Portland. The forty-five instances were "just several examples selected" by the district court "from the extensive evidence provided by Plaintiffs." The court was clear that "[t]here are more." Plaintiffs submitted a total of nineteen declarations with their motions for a temporary restraining order and preliminary injunction. Many of the events described by the declarations were corroborated by accompanying photographs and video clips.

Because the district court's findings include so many instances in which plaintiffs were standing nowhere near protesters while photographing and observing the Federal Defendants' actions, they provide exceptionally strong evidentiary support for the district court's finding that some of the Federal Defendants were motivated to target journalists in retaliation for plaintiffs' exercise of their First Amendment rights. Indeed, in response to this shocking pattern of



misconduct, the dissent contemplates that plaintiffs' allegations may well support *Bivens* actions and claims of excessive force against individual federal agents.<sup>6</sup>

The evidence that at least some of the Federal Defendants' conduct was retaliatory supports the district court's conclusion that the plaintiffs are likely to succeed on the merits of their retaliation claim. On this record, we do not hesitate to conclude that the Federal Defendants have not made the required strong showing that they are likely to prevail on the merits of the claim. This evidence of retaliatory conduct also cuts against the emergency motion for a stay pending appeal.<sup>7</sup>

### 3

The Federal Defendants have not shown that they are likely to succeed on the merits of plaintiffs' First Amendment right-of-access claim. To begin, the Federal Defendants reframe the issue and mischaracterize the preliminary injunction as recognizing a special, across-the-board exemption for members of the press and legal observers. But the threshold issue presented is whether plaintiffs

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<sup>6</sup> A *Bivens* claim requires a showing of purposeful misconduct. See *Ashcroft v. Iqbal*, 556 U.S. 662, 676–77 (2009).

<sup>7</sup> The dissent argues that the retaliation claim does not justify enjoining the Federal Defendants from issuing dispersal orders because the dispersal orders themselves are not retaliatory. This argument overlooks that the preliminary injunction expressly states the Federal Defendants are not precluded from issuing *lawful* crowd-dispersal orders for a variety of reasons.

have a constitutionally protected right to access the public forum where the protests are staged, and as the district court observed, the preliminary injunction does not afford plaintiffs any special rights beyond those enjoyed by the general public pursuant to the First Amendment.

In *Press-Enterprise II*, the Supreme Court articulated a two-part test to determine whether a member of the public has a First Amendment right to access a particular place and process. *Press-Ent. Co. v. Superior Court of Cal.*, 478 U.S. 1 (1986). First, a court must ask “whether the place and process has historically been open to the press and general public” and “whether public access plays a significant positive role in the functioning of the particular process in question.” *Id.* at 8. If a qualified right of access exists, the government can overcome that right and bar the public by showing that it has “an overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *Id.* at 9.

The Federal Defendants argue that the press is not entitled to any special First Amendment right of access to observe and record the protests taking place on Portland’s streets and sidewalks. But the *Press-Enterprise II* test is not dependent upon plaintiffs’ occupation, and plaintiffs do not argue that it affords them a special right of access not shared by the general public. We agree with plaintiffs

that the press is entitled to a right of access at least coextensive with the right enjoyed by the public at large; the press is certainly not disfavored. *See Pell v. Procunier*, 417 U.S. 817, 833–34 (1974). Indeed, the Supreme Court has repeatedly observed that excluding the media from public fora can have particularly deleterious effects on the public interest, given journalists’ role as “surrogates for the public,” *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 572–73 (1980); *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 492 (1975) (“Without the information provided by the press most of us and many of our representatives would be unable to vote intelligently or to register opinions on the administration of government generally.”). Recognizing the outsized effect of denying access to the press, we have observed that the Supreme Court’s *Press-Enterprise II* test “balances the vital public interest in preserving the media’s ability to monitor government activities against the government’s need to impose restrictions if

necessary for safety or other legitimate reasons.” *Leigh v. Salazar*, 677 F.3d 892, 900 (9th Cir. 2012).<sup>8</sup>

The Federal Defendants do not contest that the place—Portland’s streets and sidewalks—and the process—public protests and law enforcement’s response to them—have historically been open to the public. *See Hague v. Comm. for Indus. Org.*, 307 U.S. 496, 515 (1939) (“Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions.”).

Public demonstrations and protests are clearly protected by the First Amendment, and a protest not open to the press and general public is not a public demonstration. *See, e.g., Snyder v. Phelps*, 562 U.S. 443, (2011) (reiterating that “speech on matters of public concern . . . is at the heart of the First Amendment’s protection” (internal quotation marks omitted)); *City of Houston v. Hill*, 482 U.S.

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<sup>8</sup> The *Press-Enterprise II* test emerged from a line of cases involving access to criminal judicial proceedings, but by its terms the test is not limited to any particular type of plaintiff or any particular type of forum. The Ninth Circuit and several other courts have applied *Press-Enterprise II*’s analytical framework to other settings, including planning commission meetings, student disciplinary records, state environmental agency records, settlement records, transcripts of state utility commission meetings, resumes of candidates for school superintendents, and legislator’s telephone records, among others. *See Leigh*, 677 F.3d at 899 and n.5 (collecting cases).

451, 472 (1987) (“[T]he First Amendment recognizes, wisely we think, that a certain amount of expressive disorder not only is inevitable in a society committed to individual freedom, but must itself be protected if that freedom would survive.”); *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 907–12 (1982) (holding that a boycott of local businesses “clearly involved constitutionally protected activity” including “speech, assembly, association, and petition”); *Collins v. Jordan*, 110 F.3d 1363, 1371 (9th Cir. 1996) (“Activities such as demonstrations, protest marches, and picketing are clearly protected by the First Amendment.”).

Nor do the Federal Defendants deny that public access plays a significant positive role in the functioning of our democracy. Just as streets and sidewalks historically have been recognized as being open to the public, the press has long been understood to play a vitally important role in holding the government accountable.<sup>9</sup> Indeed, the public became aware of the circumstances surrounding George Floyd’s death because citizens standing on a sidewalk exercised their First

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<sup>9</sup> *Leigh*, 677 F.3d at 897 (“A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both.” (quoting 9 WRITINGS OF JAMES MADISON 103 (G. Hunt ed. 1910))).

Amendment rights and filmed a police officer kneeling on Floyd's neck until he died.

“The free press is the guardian of the public interest,” and “[o]pen government has been a hallmark of our democracy since our nation’s founding.” *Leigh*, 677 F.3d at 897, 900. “In a society in which each individual has but limited time and resources with which to observe at first hand the operations of his government, he relies necessarily upon the press to bring to him in convenient form the facts of those operations.” *Cox Broad. Corp.*, 420 U.S. at 490–91. Transparency assures that the government’s response is carried out “fairly to all concerned,” and public access discourages “misconduct of participants, and decisions based on secret bias or partiality.” *Richmond Newspapers*, 448 U.S. at 569. Given our deeply entrenched recognition of the public’s right to access city streets and sidewalks, circuit precedent establishing the right to film public police activity, and the broadly accepted principle that the public’s interest is served by the role the press plays, the district court had strong support for its conclusion that plaintiffs demonstrated a likelihood of success on the merits of their First Amendment right-of-access claim.

We are mindful that the Federal Defendants could have overcome plaintiffs’ right of access by demonstrating “an overriding interest based on findings that

closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *Press-Enterprise II*, 478 U.S. at 9. There is no question the Federal Defendants have a strong interest in protecting federal property and persons on federal property, and we do not doubt the district court’s findings related to the difficult and dangerous situation posed by protesters who engaged in violent and criminal conduct. But Federal Defendants argue that dispersing the press, regardless of whether they are on federal property, is essential to protecting the government’s interests. They further argue that their dispersal orders cannot be tailored in any way and that the district court erred by granting a special exemption from crowd-control measures to members of the press and legal observers. We disagree.

First, the district court did not grant a special exemption to the press; it found that dispersing the press was not essential to protecting the government’s interests. The district court was faced with a mountain of evidence that the Federal Defendants routinely left federal property to engage in crowd control. The injunction recognizes that the Federal Defendants did not claim the authority to issue general dispersal orders on Portland’s streets and sidewalks, that local law enforcement retains that authority pursuant to the general police power, and that Portland’s law enforcement agreed not to require journalists and legal observers to

disperse. The preliminary injunction does nothing to hinder Federal Defendants from arresting individuals engaged in violent or criminal acts.

The Federal Defendants' argument that the injunction grants a broad special exemption to the plaintiffs hinges on the implied assumption that they have the authority to take action to disperse members of the public who are neither on federal property nor threatening it. At oral argument before our court, the Federal Defendants declined to provide their view of the scope of their authority to take such action, but the district court's order makes clear that, in the district court, the Federal Defendants did not argue they have "the legal authority to declare a riot and order persons to disperse from the city streets in Portland." We need not precisely define the limits of the Federal Defendants' authority in order to resolve their emergency motion, but it cannot be debated that the United States Constitution reserves the general police power to the states, U.S. CONST. amend. X; *United States v. Morrison*, 529 U.S. 598, 618 (2000), and the district court found that the Federal Defendants "routinely have left federal property and engaged in crowd control and other enforcement on the streets, sidewalks, and parks of the City of Portland."

The district court did not question that the provision relied upon by the Federal Defendants, 40 U.S.C. § 1315, grants them the authority to protect federal



property, including issuing and enforcing dispersal orders against people on or threatening federal property. Paragraph six of the injunction expressly recognizes that the Federal Defendants may issue “lawful crowd-dispersal orders for a variety of lawful reasons.” In footnoting that the authority provided by § 1315 does not allow the Federal Defendants to declare an unlawful assembly on the city’s streets or to disperse people from city streets, the court carefully distinguished the Federal Defendants’ ability to disperse people from federal property and described their authority outside the property as limited to performing authorized duties “*to the extent necessary to protect the property and persons on the property.*” 40 U.S.C. § 1315(b)(1) (emphasis added). But the Federal Defendants’ suggestion that § 1315 confers authority to take action to disperse members of the public who

are neither on nor threatening federal property is dubious.<sup>10</sup> See *United States v. Baldwin*, 745 F.3d 1027, 1029 (10th Cir. 2014) (Gorsuch, J.) (discussing § 1315 and its implementing regulations as they relate to “[p]ersons in and on [Federal] property” (alterations in original)). On remand, the district court may have occasion to more precisely define the scope of the Federal Defendants’ authority if the Federal Defendants indicate that they intend to issue dispersal orders outside of federal property for lawful purposes.

The district court was not persuaded that the Federal Defendants’ response to the plaintiffs was essential or narrowly tailored to serve the government’s interests. *Press-Enterprise II*, 478 U.S. at 9. The district court’s conclusions are well supported and the Federal Defendants have not established that they will likely prevail in their efforts to show that the dispersal of press was essential. Nor

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<sup>10</sup> Pursuant to § 1315, the Secretary of Homeland Security “shall protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government . . . and the persons on the property.” 40 U.S.C. § 1315(a). Relevant here, the governing regulations: (1) prohibit disorderly conduct “in or on Federal property,” 41 C.F.R. § 102–74.390; (2) prohibit people “entering in or on Federal property” from improperly disposing of rubbish on property, willfully damaging property, stealing property, creating a hazard on property, throwing articles at a building, or climbing on a building, 41 C.F.R. § 102–74.380; and (3) require people “in and on property” to obey the “lawful direction of federal police officers and other authorized individuals,” 41 C.F.R. § 102–74.385; *United States v. Baldwin*, 745 F.3d 1027, 1029 (10th Cir. 2014) (Gorsuch, J.) (construing 41 C.F.R. § 102–74.385 as being applicable to people “in and on [Federal] property” (alteration in original)).

did the Federal Defendants show that the need to defend federal property made it impossible to tailor their dispersal orders.

The district court cited plaintiffs' expert, Kerlikowske, who opined that "[d]efending the federal courthouse in Portland mainly involves establishing a perimeter around the building, and there is no reason to target or disperse journalists from that position." The district court further relied on Kerlikowske's opinion that "trained and experienced law enforcement personnel are able to protect public safety without dispersing journalists and legal observers and can differentiate press from protesters, even in the heat of crowd control." The district court found this expert qualified, credible, and persuasive. Rather than deferring to the court's findings, the dissent examines the record anew, decides that Kerlikowske did not adequately address crowd control, and questions the district court's tailoring analysis. But the Federal Defendants conceded that they made no effort to tailor their response, and on the record at this preliminary stage they have not made the strong showing required by *Nken* that dispersing the press was essential or that their response was narrowly tailored to serve the government's interest in protecting federal property.

We also agree with the district court that the City's ability to comply with a similarly worded injunction strongly undercuts the Federal Defendants' argument.

The City has not required journalists and authorized legal observers to disperse when it has issued crowd control orders to the protesters. After the district court entered the first temporary restraining order against the City on July 2, the district court “specifically invited the City to move for amendment or modification if the original TRO was not working or to address any problems at the preliminary injunction phase.” But the City did not seek modification. Instead, on July 16 the City stipulated to entry of a preliminary injunction that was “nearly identical to the original TRO.” The City’s willingness to tailor the dispersal orders it issues pursuant to its general police power is strong evidence that the Federal Defendants’ dispersal of journalists and legal observers is not essential to defend federal property, and that it is possible for the Federal Defendants to tailor their methods more narrowly.

By its terms, the preliminary injunction the district court entered against the Federal Defendants addresses each of the reasons the Federal Defendants advanced to argue that it was impossible to tailor their dispersal orders. As to the contention that journalists or legal observers might interfere with federal law enforcement if not required to disperse, the preliminary injunction expressly prohibits journalists and legal observers from impeding, blocking, or otherwise interfering with the lawful conduct of the Federal Defendants. The preliminary injunction leaves the

Federal Defendants free to make arrests if there is probable cause to believe a crime has been committed, even if the perpetrator is dressed as a journalist or legal observer. The preliminary injunction also provides that the Federal Defendants will not be liable for violating the injunction if journalists or legal observers remain in the area after a dispersal order is issued, and are incidentally exposed to crowd-control devices. Finally, though the Federal Defendants argued that large and unique identifying markings on their uniforms could inhibit their ability to carry out their duties, the district court concluded they did not support this claim. Indeed, the district court went to great lengths to make sure the terms of the injunction do not impede the federal defendants' ability to safely achieve their mission.<sup>11</sup>

The dissent faults us for deferring to the district court's findings, but that is precisely what our precedent requires. *Walters*, 145 F.3d at 1047. It is not our role

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<sup>11</sup> Plaintiffs' expert Kerlikowske opined that identifiable markings on law enforcement officers' uniforms increase accountability, act as a check and deterrent against misconduct, and will not interfere with federal officers' ability to perform their duties. This term of the injunction was added after the Federal Defendants were unable to identify their own officers in videos submitted in support of plaintiffs' still-pending motion for sanctions and contempt of the July 23 TRO. The Federal Defendants contend the district court overreached, but requiring the officers' uniforms to bear unique identifiable markings is a common-sense method to ensure that non-compliance with the court's order may be addressed.

to second-guess the district court's factual findings; we review the district court's findings for clear error, and we do not see any. The dissent is not so constrained. It reviews the facts de novo, reframes all of the protests as riots, and concludes the Federal Defendants must be permitted to issue dispersal orders without limit. Yet the majority of the protests have been peaceful, and the record is replete with instances in which members of the press were targeted when they were not mixed with, or even proximate to, protesters. Even the Federal Defendants recognize that the general police power is reserved to the states, and the response to protesters on the public streets of Portland is being handled by the state and local police. As for the Federal Defendants' actions on federal property, the injunction expressly recognizes that the Federal Defendants are free to issue dispersal orders for a variety of lawful reasons. Their authority to issue dispersal orders to protect federal property has not been questioned.

But on the record before us, the Federal Defendants have not shown the general dispersal orders they issued were lawful, much less essential or narrowly tailored. *Press-Enterprise II*, 478 U.S. at 9. We do not condone any form of violence, nor did the district court, but the court found no evidence that any of the named plaintiffs engaged in unlawful conduct. The many peaceful protesters, journalists, and members of the general public cannot be punished for the violent

acts of others. “[T]he proper response to potential and actual violence is for the government to ensure an adequate police presence . . . and to arrest those who actually engage in such conduct, rather than to suppress legitimate First Amendment conduct as a prophylactic measure.” *Collins v. Jordan*, 110 F.3d 1363, 1373 (9th Cir. 1996) (internal citations omitted). Accordingly, we conclude the Federal Defendants have not made a strong showing that they are likely to succeed on the merits of plaintiffs’ First Amendment right-of-access claim, nor that this argument supports their emergency motion for a stay pending appeal.

## **B**

We turn next to the second *Nken* factor: whether the Federal Defendants have shown a likelihood they will suffer irreparable injury if the district court’s preliminary injunction is not stayed pending appeal. *Nken*, 556 U.S. at 426. The Federal Defendants contend the district court abused its discretion because the scope of the injunction is unworkable. Specifically, they argue the injunction will force federal officers to make snap judgments to distinguish journalists and legal observers from protesters. They argue federal officers will face irreparable injury absent a stay pending appeal because the preliminary injunction will hinder their ability to safely protect federal property and people on federal property, and will

generally place them in the untenable position of having to choose between risking their safety and violating the preliminary injunction.

The district court was not persuaded, and for purposes of their emergency motion for a stay pending appeal, the Federal Defendants have not shown that the court likely erred. First, as we have explained, the preliminary injunction entered against the Federal Defendants is one of two preliminary injunctions the district court entered. In a separate preliminary injunction, the City stipulated that it would not require journalists and legal observers to disperse from Portland's streets and sidewalks after it issues general dispersal orders. In the lengthy preliminary injunction the court issued to address the Federal Defendants' conduct, the court took pains to explain that the general police power is reserved to the states, and that the Federal Defendants had not taken the position that they had the authority to issue general dispersal orders on Portland's streets and sidewalks.

Second, it is clear the district court has worked tirelessly to respond to a tense and sometimes chaotic situation. In order to provide clear direction, the district court required the Federal Defendants to broadly disseminate, to the federal agents responding to the protesters, the three pages of its opinion and order that enumerate the terms of the injunction. The Federal Defendants read one sentence from the three-page excerpt in isolation and argue that the preliminary injunction



provides a special, citywide exemption to dispersal orders for journalists and legal observers. In fact, it is apparent the district court was actually providing the Federal Defendants with an unambiguous statement of actions they may and may not take in the field, including the requirement that the Federal Defendants mark their uniforms in some way to allow officers to be identified, thereby incentivizing compliance with the court's orders. Read as a whole, the preliminary injunction does not provide a special exemption for journalists and legal observers. Rather, the terms of the injunction account for the City's stipulation that journalists and legal observers will not be required to disperse from Portland's streets and sidewalks. The injunction also accounts for the district court's finding that the Federal Defendants, at least at this preliminary stage, have not shown that it is essential to disperse press to protect federal property, nor that their response was narrowly tailored.

Third, the preliminary injunction unambiguously provides that the Federal Defendants will not be held liable for violating the preliminary injunction by incidentally exposing journalists or legal observers to otherwise lawful crowd-control measures. The Federal Defendants' argument that they may be irreparably harmed if individuals disguise themselves as journalists or legal observers in order to commit crimes or interfere with law enforcement is similarly unpersuasive

because the order explicitly allows the Federal Defendants to arrest anyone if they have probable cause to believe a crime is being committed—regardless of whether that person is, or appears to be, a journalist or legal observer. The preliminary injunction expressly prohibits journalists and legal observers from impeding, blocking, or otherwise physically interfering with the lawful activities of the Federal Defendants.

The district court recognized that Federal Defendants have sustained injuries over the course of the summer, but found no evidence that any of the named plaintiffs engaged in any of the unlawful conduct that caused their injuries, and the Federal Defendants point to no evidence that the injuries they sustained were more severe or more frequent during the time they were operating under the substantially similar terms of the July 23 TRO, or that the alleged confusion in distinguishing between protestors and plaintiffs resulted in any injury.

The district court was heavily influenced by the City’s agreement to enter into a stipulated preliminary injunction that largely mirrors the preliminary injunction entered against the Federal Defendants, and observed “[t]he City did not contend that the terms of the stipulated preliminary injunction were intrusive, unworkable, or vague.” In fact, the City supported entry of the instant preliminary injunction against the Federal Defendants, arguing “[t]he actions of [F]ederal

[D]efendants are escalating violence, inflaming tensions in [Portland], and harming Portlanders who seek to engage in nonviolent protests in support of racial justice.”

Plaintiffs’ expert, Gil Kerlikowske, also seriously undermined the Federal Defendants’ argument that they faced irreparable injury. Relying on Kerlikowske’s expert opinion, the district court concluded that the Federal Defendants’ concerns regarding the workability of the injunction were exaggerated. The district court noted Kerlikowske’s statement that “during his tenure in Seattle, law enforcement did not target or disperse journalists and there were no adverse consequences.” Kerlikowske opined that the prohibitions contained in the July 23 temporary restraining order, which the district court incorporated into the preliminary injunction, were both safe and workable for law enforcement. Kerlikowske stated that dispersing press and legal observers is not necessary to protect public safety, and further explained that trained and

experienced law enforcement personnel can differentiate press from protesters in the heat of crowd control.<sup>12</sup>

On the present record, despite the Federal Defendants' assertion that all of their officers and agents are adequately trained, the district court found numerous instances in which Federal Defendants shot munitions directly at journalists' and legal observers' chests, arms, backs, and heads while they were standing entirely apart from the protesters. These methods directly conflict with Kerlikowske's opinion that crowd-control munitions are not appropriately aimed at the upper body, and that pepper balls and tear gas canisters should not be aimed at people at all. We review the court's findings for clear error, and for purposes of the Federal Defendants' emergency motion, the Federal Defendants have not shown that they will likely establish the district court's findings are clearly erroneous.

We also conclude the Federal Defendants' have not made the required showing that they will suffer irreparable harm if the preliminary injunction is not

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<sup>12</sup> Plaintiffs' briefing repeatedly asserts that the Federal Defendants lack crowd control training, and the Federal Defendants repeatedly respond that they are trained in the appropriate use of force. At this preliminary stage, the record did not allow the district court to determine whether the Federal Defendants differentiate between crowd control training and training in the proper use of force. Nor does the record make clear whether the training provided to U.S. Marshals differs from the training provided to personnel from the Department of Homeland Security. Those questions may be resolved at a later stage in the proceedings.

stayed pending a decision on the merits of their appeal. The district court took care to address the Federal Defendants' concerns regarding the workability of the injunction. The terms of the injunction itself adequately address their concerns, and the Federal Defendants' continued objection that the injunction is unworkable is undermined by the City's agreement to operate pursuant to a substantially similar order. Kerlikowske's opinions, which the court found persuasive and credible, further support the district court's finding that the terms of the preliminary injunction are safe and workable.

The dissent decides that the Federal Defendants are likely to suffer irreparable harm absent a stay pending appeal because the preliminary injunction does not explain how arresting individual suspects is as feasible or safe as using general crowd control tactics during a riot. But the district court found that the protests have been largely peaceful, and the preliminary injunction does not prevent the Federal Defendants from issuing lawful dispersal orders to protect federal property if and when it is threatened by violent protests. We conclude the Federal Defendants have not shown that they will suffer irreparable injury if the district court's preliminary injunction is not stayed.

**C**

The Federal Defendants have not satisfied the first two *Nken* factors, but we briefly note that the final two factors also strongly suggest the Federal Defendants' motion must be denied. *See Nken*, 556 U.S. at 435; *Al Otro Lado*, 952 F.3d at 1006.

1

The third *Nken* factor asks whether the other parties to the litigation will be substantially injured if the district court's preliminary injunction is stayed pending appeal. *Nken*, 556 U.S. at 426.

The City supported the imposition of the preliminary injunction against the Federal Defendants. As explained, the City asserted that the Federal Defendants' presence in Portland escalated violence and inflamed tensions. Although the Federal Defendants have entered into some type of agreement with Governor Brown, the district court voiced "serious concerns that the Federal Defendants have not fully complied with the Court's original TRO." The district court also highlighted evidence in the record suggesting intentional targeting of journalists or legal observers after the imposition of the TRO. Further, the district court found that the day after the Federal Defendants reached the agreement with the Governor, federal agents fired tear gas at journalists standing nowhere near protesters. In light of this evidence, and the Federal Defendants' stated intention to remain in

Portland to continue to protect the federal buildings should they deem local authorities' efforts unsatisfactory, the likelihood that the City will suffer substantial injury supports denial of the emergency motion for a stay pending appeal.

Plaintiffs also face substantial injury if the Federal Defendants' motion is granted because the district court found that the Federal Defendants' conduct chilled the exercise of their First Amendment rights. The district court made this finding after reviewing plaintiffs' vivid descriptions and photographic evidence of injuries they sustained as bystanders. "It is well established that the deprivation of constitutional rights 'unquestionably constitutes irreparable injury.'" *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976)); *see also, e.g., Assoc. Press v. Otter*, 682 F.3d 821, 826 (9th Cir. 2012) ("The loss of First Amendment freedoms, even for minimal periods of time, unquestionably constitutes irreparable injury."). In sum, the Federal Defendants have failed to show that the other parties to the litigation will not be substantially injured if the district court's preliminary injunction is stayed pending appeal.

## 2

The fourth *Nken* factor requires courts to determine where the public interest lies. *Nken*, 556 U.S. at 426. When the government is a party, the irreparable injury and public interest factors merge, *id.* at 435, but the Federal Defendants are

incorrect to suggest that a showing of harm to the government commands the conclusion that the public interest weighs entirely in favor of whichever outcome the government seeks. Our court has consistently balanced the public interest on the side of the plaintiffs against the public interest on the side of the government to determine where the public interest lies. *See, e.g., Padilla v. Immigration & Customs Enforcement*, 953 F.3d 1134, 1147–48 (9th Cir. 2020) (determining the “balance of the equities and public interest favors plaintiffs”).

Here, the public interest on the Federal Defendants’ side is the uncontested interest in protecting federal agents and property. The harms the Federal Defendants assert relate to the potential challenges the preliminary injunction poses to their ability to safely and effectively protect federal property and personnel. On the other hand, plaintiffs also assert a strong public interest: “It is always in the public interest to prevent the violation of a party’s constitutional rights.” *Padilla*, 953 F.3d at 1147–48 (internal quotation marks omitted). When weighing public interests, courts have “consistently recognized the significant public interest in upholding First Amendment principles.” *Assoc. Press*, 682 F.3d at 826 (quoting *Sammartano v. First Judicial Dist. Court*, 303 F.3d 959, 974 (9th Cir. 2002), *abrogated on other grounds by Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008)). The Federal Defendants assert a very important public interest, but the



record fully supports the district court's conclusion that the Federal Defendants' interest does not require dispersing plaintiffs. They have not threatened federal property, and the journalists, in particular, provide a vitally important service to the public. Accordingly, the final *Nken* factor does not weigh in favor of a stay.

The Federal Defendants have not made a strong showing that they are likely to succeed on the merits of plaintiffs' claims. Nor have they shown that they are likely to suffer irreparable injury as a result of the district court's preliminary injunction. Further, a stay of the district court's injunction would substantially injure both the City and the plaintiffs. For these reasons, we cannot say at this juncture that the Federal Defendants are entitled to a stay of the preliminary injunction pending appeal. The Federal Defendants' emergency motion for a stay pending appeal is **DENIED**, and the administrative stay entered August 27, 2020 is lifted.

OCT 9 2020

O'SCANNLAIN, J., dissenting:

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In the words of the majority—and I agree—“the district court has worked tirelessly to respond to a tense and sometimes chaotic situation”<sup>1</sup> arising from peaceful urban protest events that have degenerated into riots and destructive mob violence, resulting, inevitably, in crowd dispersal actions by law enforcement. Unfortunately, because the constitutional interests of the parties are misaligned in the provisions of the injunction before us, I must, respectfully, dissent from the order. Since the government is likely to prevail on the merits and the other requisite factors are met, I would grant the motion for stay pending appeal.

With its decision today, the majority of this motions panel validates the transformation of the First Amendment-based “right of public access” to governmental proceedings into a special privilege for self-proclaimed journalists and “legal observers” to disregard crowd dispersal orders issued by federal law enforcement officers. The district court’s injunction erroneously curtails an important law enforcement tool for responding to protest events that threaten federal property and personnel, thereby limiting options available for federal officers precisely when they are most needed. While well-meaning, the district court’s decision constitutes a significant and unwarranted departure from the

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<sup>1</sup> Majority Opinion at 35.

traditional, qualified “right of public access” to criminal judicial proceedings that has been carefully delineated by the Supreme Court. In short, the majority’s decision approves the mutation of a very limited historical right reinforced by a millennium of legal tradition into a broad, amorphous entitlement that finds support nowhere in our precedents or in the historical sources of the First Amendment.

Similarly, the majority’s decision to uphold the injunction before us ostensibly rests on the deference that it accords to the district court’s factual findings with respect to plaintiffs’ “retaliation” claim, which, indeed, reveal quite a disturbing pattern of apparent misconduct by certain federal officers. But even these unfortunate facts cannot justify granting journalists and “legal observers” a unique exemption from lawful dispersal orders—orders that were neither found, nor alleged, to be retaliatory.

## I

Because the facts set forth in the majority opinion do not adequately reveal the full picture, I respectfully restate them as found in the record.

## A

In the early morning of July 3, 2020, the recent and ongoing political protests in downtown Portland, Oregon took a violent and destructive turn. Rioters smashed the glass entryway doors of the Mark O. Hatfield Federal Courthouse and

attempted to set fire to the building. They threw balloons containing an accelerant into the lobby and fired powerful commercial fireworks toward the accelerant, which ignited a fire in the lobby. Vandalism, destruction of property, and assault on federal law enforcement officers securing the building continued throughout the Fourth of July holiday weekend, and federal agents made multiple arrests.

Before July 3rd, federal law enforcement officers at the Hatfield Courthouse had been stationed in a defensive posture, intended to de-escalate tensions with protesters by remaining inside and responding only to breach attempts on the building and assaults on personnel or to other serious crimes. With limited support from the Portland Police Bureau (“PPB”), however, federal agents struggled to contain protests that often focused on the Courthouse and frequently devolved into violence in the late evenings and early mornings.

When this pattern of violent unrest culminated in the July 3rd attack, the Department of Homeland Security (“DHS”) changed its tactics and authorized federal agents to take additional action to protect the Courthouse, and to identify and to arrest serious offenders. After federal officers adopted this more assertive posture, the protests became larger and more intense. These protest events were chaotic and dynamic, and federal officers had frequent confrontations with rioters. According to DHS’s Gabriel Russell, the law enforcement officer leading the federal response in Portland, 120 federal officers experienced injuries, including

broken bones, hearing damage, eye damage, a dislocated shoulder, sprains, strains, and contusions. Conflict between federal officers and rioters continued until the early morning of July 30th, after which incidents diminished as a result of DHS reaching an agreement with the Governor of Oregon for the Oregon State Police to provide security in the areas adjacent to the Hatfield Courthouse.

During the period of unrest, journalists and “legal observers” ostensibly reporting on law enforcement’s response to the riots were frequently interspersed with protesters when events degenerated into violence. Some of these individuals even participated in violent and unlawful conduct, including assaults on federal officers and destruction of federal property. For example, a person with a helmet marked “press” used a grinder to attempt to breach the fence surrounding the Hatfield Courthouse. Another person with a “press” helmet entered Courthouse property and encouraged others to join, yelling to the crowd that “they can’t arrest us all!” A man wearing a vest labeled “press” was seen throwing a hard object toward police. In yet another incident, a Courthouse staff member reported being kicked by someone wearing clothing marked “press.”

## B

Plaintiffs are a newspaper organization and individual journalists and “legal observers,” some of whom are affiliated with the National Lawyers Guild (“NLG”) and the American Civil Liberties Union (“ACLU”). They allege that federal law

enforcement officers with DHS and the U.S. Marshals Service (“USMS”) operating in Portland during the month of July (1) infringed their First Amendment “right of access” to public streets and sidewalks to observe and to document law enforcement’s response to the riots near the Hatfield Courthouse; and, (2) deliberately and unlawfully “retaliated” against them for exercising their putative First Amendment right to report on those events by targeting them with tear gas, less-lethal munitions, and pepper spray.

Plaintiffs initially filed suit against the City of Portland, and unnamed individual PPB officers, in federal district court, alleging similar constitutional violations arising out of the PPB’s response to the protest events. For example, Plaintiffs alleged a “broader pattern of the Portland police repeatedly and intentionally shooting, gassing, and beating journalists and [legal] observers.” Among other incidents, Plaintiffs alleged that the PPB slammed a reporter from *The Oregonian* in the back with a truncheon, even as she was displaying her press pass, and shoved a reporter from the *Portland Tribune* into a wall, after he had identified himself as media, when he initially refused to comply with an order to disperse. Plaintiffs further alleged that the PPB had publicly announced that it would use force to disperse reporters unless they had been previously selected to embed with officers. Plaintiffs obtained a temporary restraining order (“TRO”) against the PPB, without the City of Portland’s consent, on July 2nd, with terms

similar to those contained in the instant preliminary injunction. In its order granting the TRO, the district court concluded that Plaintiffs had demonstrated “serious questions going to the merits” with respect to their claim of a First Amendment-based “right of public access” to observe law enforcement’s response to protest events. The TRO specified that press and “legal observers” were exempt from any orders to disperse issued by the PPB.

After alleged retaliation by a federal law enforcement agent on July 12th, plaintiffs filed an emergency motion seeking the district court’s leave to file an amended complaint describing such incident and also adding DHS and USMS as defendants in the case. The City of Portland filed an objection, arguing, *inter alia*, that plaintiffs’ claims against the City of Portland and those against DHS and USMS raised no common questions of law or fact. The City maintained that PPB operates under fundamentally different conditions than federal law enforcement agencies, including different directives governing the use of force, different limitations on the use of force, and a separate command structure.

On July 16th, before the district court had an opportunity to rule on the motion to bring DHS and USMS into the case, plaintiffs and the City jointly filed a “Stipulated Preliminary Injunction” that substantially mirrored the TRO’s terms. The following day, the district court granted plaintiffs’ motion for leave to file the operative Second Amended Complaint.

The Second Amended Complaint sets forth independent causes of action based on the First and Fourth Amendments of the U.S. Constitution and Article I, Sections 8 and 26 of the Oregon Constitution. It seeks both damages and equitable relief. The day it was filed, Plaintiffs immediately moved for a TRO against DHS and USMS, with the request for injunctive relief limited only to their aforementioned First Amendment claims.

On July 22nd, the City filed a brief in support of the entry of the TRO against DHS and USMS. The City accused both agencies of escalating violence, harming non-violent protesters, and effectively kidnapping people off of Portland streets. Notably, on the same day, the Portland City Council passed a resolution prohibiting the PPB from cooperating with federal officers deployed in Portland.

The district court granted the TRO on July 23rd and extended it for an additional 14 days on August 6th. On August 20th, the district court entered the instant preliminary injunction, from which DHS and USMS now seek emergency relief pending appeal.

The preliminary injunction provides, among other things, that journalists and “legal observers” are exempt<sup>2</sup> from general dispersal orders issued by federal

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<sup>2</sup> The precise language of the district court’s order provided that journalists and “legal observers” “shall not be required to disperse following the issuance of an order to disperse, and such persons shall not be subject to arrest for not dispersing following the issuance of an order to disperse.”



officers. It further requires that federal officers refrain from using force or threatening arrest to compel such persons to disperse after an order to disperse has been issued. It also sets forth a non-exclusive list of indicia by which officers are to determine who qualifies as a journalist or “legal observer.”<sup>3</sup>

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<sup>3</sup> The eight-part injunction entered by the district court is lengthy, not to say labyrinthine, but warrants repetition in full for appreciation of its extraordinary scope:

1. The Federal Defendants, their agents and employees, and all persons acting under their direction are enjoined from arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), unless the Federal Defendants have probable cause to believe that such individual has committed a crime. For purposes of this Order, such persons shall not be required to disperse following the issuance of an order to disperse, and such persons shall not be subject to arrest for not dispersing following the issuance of an order to disperse. Such persons shall, however, remain bound by all other laws. No Journalist or Legal Observer protected order this Order, however, may impede, block, or otherwise physically interfere with the lawful activities of the Federal Defendants.
2. The Federal Defendants, their agents and employees, and all persons acting under their direction are further enjoined from seizing any photographic equipment, audio- or video- recording equipment, or press passes from any person whom they know or reasonably should know is a Journalist or Legal Observer (as explained below), or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person consistent with this Order. Except as expressly provided in Paragraph 3 below, the Federal Defendants must return any seized equipment or press passes immediately upon release of a person from custody.
3. If any Federal Defendant, their agent or employee, or any person acting under their direction seize property from a Journalist or Legal Observer who is lawfully arrested consistent with this Order, such Federal Defendant shall,

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as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer. If equipment seized in connection with an arrest of a Journalist or Legal Observer lawfully seized under this Order is needed for evidentiary purposes, the Federal Defendants shall promptly seek a search warrant, subpoena, or other court order for that purpose. If such a search warrant, subpoena, or other court order is denied, or equipment seized in connection with an arrest is not needed for evidentiary purposes, the Federal Defendants shall immediately return it to its rightful possessor.

4. To facilitate the Federal Defendants' identification of Journalists protected under this Order, the following shall be considered indicia of being a Journalist: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. It also shall be an indicium of being a Journalist under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements. These indicia are not exclusive, and a person need not exhibit every indicium to be considered a Journalist under this Order. The Federal Defendants shall not be liable for unintentional violations of this Order in the case of an individual who does not carry or wear a press pass, badge, or other official press credential, professional gear, or distinctive clothing that identifies the person as a member of the press.
5. To facilitate the Federal Defendants' identification of Legal Observers protected under this Order, the following shall be considered indicia of being a Legal Observer: wearing a green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. It also shall be an indicium of being a Legal Observer protected under this Order that the person is standing off to the side of a protest, not engaging in protest activities, and not intermixed with persons engaged in protest activities, although these are not requirements.
6. The Federal Defendants are not precluded by the Order from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons. The

A prior motions panel of this court entered an administrative stay of the injunction pending the adjudication of the government's motion for emergency

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Federal Defendants shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

7. Plaintiffs and the Federal Defendants shall promptly confer regarding how the Federal Defendants can place unique identifying markings (using numbers and/or letters) on the uniforms and/or helmets of the officers and agents of the Federal Defendants who are specially deployed to Portland so that they can be identified at a reasonable distance and without unreasonably interfering with the needs of these personnel. Based on the Court's understanding that Deputy U.S. Marshals and Courtroom Security Officers stationed in Portland who are under the direction of the U.S. Marshal for the District of Oregon are not part of the force that has given rise to events at issue in the lawsuit, they are exempt from this requirement. Agents wearing plain clothes and assigned to undercover duties also are exempt from this requirement. If the parties agree on a method of marking, they shall submit the terms of their agreement in writing to the Court, and the Court will then issue a modified preliminary injunction that incorporates the parties' agreement. If the parties cannot reach agreement within 14 days, each party may submit its own proposal, and each side may respond to any other party's proposal within seven days thereafter. The Court will resolve any disputes on this issue and modify this preliminary injunction appropriately.
8. To promote compliance with this Preliminary Injunction, the Federal Defendants are ordered to provide copies of the verbatim text of the first seven provisions of this Preliminary Injunction, in either electronic or paper form, within 14 calendar days to: (a) all employees, officers, and agents of the Federal Defendants currently deployed in Portland, Oregon (or who later become deployed in Portland, Oregon while this Preliminary Injunction is in force), including but not limited to all personnel in Portland, Oregon who are part of Operation Diligent Valor, Operation Legend, or any equivalent; and (b) all employees, officers, and agents of the Federal Defendants with any supervisory or command authority over any person in group (a) above.

relief. As the court, in its role as this motions panel, today denies such emergency request for a stay pending appeal, the injunction will go back into effect and this matter will proceed before the district court, pending disposition of the government's appeal of the preliminary injunction by a merits panel of this court. Plaintiffs' Fourth Amendment and state constitutional claims did not form part of the request for preliminary relief and remain pending before the district court, as do plaintiffs' requests for compensatory and punitive damages, attorney's fees, and costs. As the City's stipulation to a preliminary injunction resolved only Plaintiffs' request for equitable relief, Plaintiffs' remaining claims against the City and individual PPB officers also remain pending in the district court.

## II

I agree with the majority that the *Nken v. Holder* factors must determine our disposition of the government's request for emergency relief, but I respectfully disagree with how the majority analyzes those factors. 556 U.S. 418, 426 (2009). I address each factor in turn, beginning with the government's burden to make a strong showing of likelihood of success on the merits.<sup>4</sup>

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<sup>4</sup> Upon appeal of a preliminary injunction, the district court's conclusions of law are reviewed *de novo*, its underlying factual findings are reviewed for clear error, and the scope of the injunction is reviewed for abuse of discretion. *Padilla v. Immigration & Customs Enf't*, 953 F.3d 1134, 1141 (9th Cir. 2020). In addition, "we review First Amendment questions *de novo* since they present mixed questions of law and fact, requiring us to apply principles of First Amendment

The district court granted injunctive relief on the basis of Plaintiffs’ two First Amendment claims: (1) a “right of public access” to public streets and sidewalks to observe and to document law enforcement officers engaged in riot control and crowd dispersal; and (2) a right to be free from “retaliation” by federal officers for reporting on law enforcement’s response to civil unrest.

A

1

With respect to the “right of public access” issue, the district court purported to apply the framework articulated in *Press-Enterprise Co. v. Superior Court of Cal.* (“*Press-Enterprise IP*”) for evaluating “claim[s] of a First Amendment right of access to criminal proceedings[.]” 478 U.S. 1, 8–9 (1986). Pursuant to that doctrine, in evaluating a purported claim of public access to a proceeding, a court must consider: (1) “whether the place and process have historically been open to the press and general public;” and (2) “whether public access plays a significant positive role in the functioning of the particular process in question.” *Id.* “If the particular proceeding in question passes these tests of experience and logic, a qualified First Amendment right of public access attaches.” *Id.* “A presumptive right of access to any particular proceeding may be overcome by an overriding

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jurisprudence to the specific facts of this case.” *Gerritsen v. City of Los Angeles*, 994 F.2d 570, 575 (9th Cir. 1993).

government interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest.” *Id.*

But the First Amendment-based right of public access and its corresponding framework have never been deemed to apply to riot control and crowd dispersal in a public street.<sup>5</sup> The Supreme Court has discussed only a qualified right of access to certain criminal judicial proceedings and has never recognized a right of public access outside of that context. *See Press-Enterprise II*, 478 U.S. at 8–9 (right of public access to preliminary hearings in criminal cases); *Press-Enterprise Co. v. Superior Court of Cal.*, 464 U.S. 501, 503, 508 (1984) (right of public access to voir dire hearings in criminal cases); *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 580 (1980) (right of public access to criminal trials).

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<sup>5</sup> The majority, echoing arguments offered by plaintiffs’ counsel, invokes prior decisions of our court referencing a First Amendment-based right to record law enforcement activity in public. *See Reed v. Lieurance*, 863 F.3d 1196, 1211 (9th Cir. 2017); *Fordyce v. City of Seattle*, 55 F.3d 436, 439 (9th Cir. 1995). Those cases are inapposite, however, as they do not address situations where law enforcement is responding to rioting and violent unrest. At most, those cases merely recognize the right of a person to use a recording device in a public forum, *before* any measures have been taken to restrict access to the forum, such as issuance of a general dispersal order. They certainly do not stand for the extraordinary proposition that an individual is exempt from a dispersal order or other riot control measure merely because he is engaged in the act of recording law enforcement operations. Moreover, as a matter of doctrine, neither case applied right-of-public-access analysis. In fact, *Reed* applied public forum analysis, which the district court notably chose not to do here. 863 F.3d at 1211. *Cf. fn. 9, infra.*

In the decades since *Press-Enterprise II*, the courts of appeals have expanded the right-of-public-access doctrine considerably beyond its initial, paradigmatic application to criminal proceedings—including, in our court, to a variety of non-criminal, non-adjudicative, governmental proceedings, such as a horse gather on federal land, *Leigh v. Salazar*, 677 F.3d 892, 894 (9th Cir. 2012), and a referendum on a regulatory order conducted by the U.S. Department of Agriculture, *Cal-Almond, Inc. v. U.S. Dept. of Agriculture*, 960 F.2d 105, 109 (9th Cir. 1992)—but the doctrine is not without limit. Rather, the *Press-Enterprise II* framework has been confined to claims of access to specific governmental proceedings and has never been applied to public spaces in general or to private events therein. *Cf. Leigh*, 677 F.3d at 894 (evaluating access to horse gather, *not* to federal lands); *Whiteland Woods, L.P. v. Township of W. Whiteland*, 193 F.3d 177, 181 (3d Cir. 1999) (evaluating access to town planning commission meeting, *not* to town hall). Here, protests in a public street are privately sponsored and organized events, and when they degenerate into riots, the crowd control measures taken by law enforcement are spontaneous and temporary responses to ongoing criminal activity. Protests and resulting riots are simply not governmental proceedings to which a right of public access may be claimed.<sup>6</sup>

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<sup>6</sup> Curiously, the complaint might be better viewed as claiming a “right of exclusion” from crowd dispersal actions by federal law enforcement. Plaintiffs seek access to a putative proceeding, the necessary impact of which they actually

Similarly, even where the *Press-Enterprise II* framework applies, it requires a court to evaluate a claim of access by first determining whether “the place *and the process*” have historically been open to the public, and whether the public’s presence plays a critical role in the specific proceeding at issue. 478 U.S. at 8–9 (emphasis added). Here, the district court noted that streets, sidewalks, and parks constitute traditional public fora, which have been open to speech and expression from “time out of mind,” *Hague v. Comm. for Indus. Org.*, 307 U.S. 496, 515 (1939), but it failed to evaluate any history of public access to *law enforcement operations* responding to ongoing criminal activity, including violent civil unrest that threatens federal property and personnel. In the absence of historical analysis regarding the *proceeding*, as distinguished from the *place*, a presumptive right of public access simply does not attach. *Cf. Leigh*, 677 F.3d at 894 (calling for inquiry into history of public access to horse gathers, *not* to federal lands).

The district court’s reasoning here is reflective of an emerging pattern of lower courts expanding the right-of-public-access doctrine well beyond its original scope, with little consideration of a limiting principle. *Cf., e.g., N.Y. Civil Liberties Union v. N.Y. City Transit Auth.*, 684 F.3d 286, 298 (2d Cir. 2012) (noting, with approval, that “there is no principle that limits the First Amendment right of

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wish to avoid. This contradiction highlights the discrepancy between plaintiffs’ claims and traditional right-of-public-access case law.



[public] access to any one particular type of government process”). When the Supreme Court first articulated the First Amendment right of public access in *Richmond Newspapers, Inc. v. Virginia*, it drew on an extensive historical record of public access to criminal trials in the Anglo-American legal tradition, dating back to “the days before the Norman Conquest.” 448 U.S. at 580. After canvassing more than a thousand years of “unbroken, uncontradicted” history, the Court felt justified in concluding that the right to attend criminal trials is “implicit in the guarantees of the First Amendment.” *Id.* In *Press-Enterprise II*, the Court limited its inquiry to post-Bill of Rights history, but nonetheless identified a “near uniform” “tradition of accessibility” to preliminary hearings in criminal cases dating back to the “celebrated trial of Aaron Burr” in 1807. 478 U.S. at 10–11.

Lower courts, by contrast, including ours, have extended the right of public access largely without extensive historical backing and without further guidance from the Supreme Court regarding the specific contours of the doctrine. If the majority’s reasoning here is any indication, the doctrine is growing haphazardly, like a weed in an untended garden, presaging conflict with more established legal rights and powers. This doctrinal disorder warrants further review.

2

Even if right-of-public-access analysis were appropriate under these circumstances, any right to access the proceeding in question must apply equally to

the press and the public. See *Cal. First Amendment Coal. v. Woodford*, 299 F.3d 868, 873 n.2 (9th Cir. 2002) (“As members of the press, plaintiffs’ First Amendment right of access to governmental proceedings is coextensive with the general public’s right of access.” (citing *Houchins v. KQED, Inc.*, 438 U.S. 1, 15–16 (1978))). Indeed, it is a long-established and fundamental principle of constitutional law that “the First Amendment does not guarantee the press a constitutional right of special access to information not available to the public generally.” *Branzburg v. Hayes*, 408 U.S. 665, 684 (1972). Cf. Erwin Chemerinsky, *Protect the Press: A First Amendment Standard for Safeguarding Aggressive Newsgathering*, 33 U. Rich. L. Rev. 1143, 1145 (2000) (“[The Supreme Court’s] rulings, without exception, have failed to provide any First Amendment protection for newsgathering. Indeed, the Court has declared that there is no exemption for the press from general laws. In other words, while engaged in newsgathering, the press is not exempt from tort liability or criminal laws, no matter how compelling the need for reporting to protect the public’s health and safety.”)

But here, the district court’s injunction, by its own terms, grants self-identified journalists and “legal observers” a special privilege to disregard dispersal orders with which the general public must comply, which has no legal

basis. The injunction is thus at odds with a core First Amendment principle and a common-sense rule of thumb: the media have the same rights as the rest of us.<sup>7</sup>

The majority opinion here rejects this characterization of the injunction and insists that it creates no special rights. According to the majority, the injunction merely prevents federal agents from seeking to disperse the press from local streets and sidewalks when the City's current policy is that press may remain there, even during riots, but does not seek to regulate crowd dispersal on federal property. On this view, the injunction is a wholesome exercise in federalism!

But the majority's analysis is inconsistent with the plain text of the district court's order and misapplies principles of constitutional structure. The injunction, by its own terms, appears to extend to dispersal orders issued on federal property,

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<sup>7</sup> Even if journalists had some special claim to enhanced Constitutional protection when reporting on law enforcement activities, grounded in the First Amendment's "freedom of the press" clause, "legal observers" have never been accorded any special recognition under our law. *Cf. Wise v. City of Portland*, No. 3:20-CV-01193-IM, 2020 WL 5231486, at \*7 (D. Or. Sept. 2, 2020) (declining to recognize special status for "protest medics" in similar Portland protests) ("[T]his Court has found no legal authority for affording protest medics, as defined by Plaintiffs, unique recognition under the First Amendment beyond that afforded any individual who attends a protest. . . . They simply have no unique status under the First Amendment that allows them to disregard lawful [dispersal] orders."). That the district court's injunction appears to empower the ACLU and NLG to bestow immunity from lawful dispersal orders is particularly dubious given the status of these organizations as perennial litigation adversaries of law enforcement agencies. In sum, like "protest medics," there is no cognizable basis for "legal observers" to receive "special dispensation" to disregard lawful dispersal orders. *Wise*, 2020 WL 5231486 at \*2.

and is certainly not geographically limited in any explicit way. The injunction thus allows the press, but not others, to disregard dispersal orders that are clearly lawful. That can only be understood as a special dispensation that is not consistent with the First Amendment.

In any event, even if federal agents are located on City property when they issue, or seek to enforce, an order to disperse, principles of federalism do not justify carving out a special exemption for the press from such orders simply because City police would typically allow for one. The Federal Government is indeed acknowledged by all to be one of limited and enumerated powers, *see Nat'l Fed'n of Indep. Bus. v. Sebelius*, 567 U.S. 519, 534 (2012), and it is not entitled to exercise general or residual powers, *see United States v. Comstock*, 560 U.S. 126, 153 (2010) (Kennedy, J., concurring) (“Residual power, sometimes referred to (perhaps imperfectly) as the police power, belongs to the States and the States alone”), such as the prevention and punishment of crime and disorder on local streets, sidewalks, and parks, *see United States v. Morrison*, 529 U.S. 598, 618 (2000) ([W]e can think of no better example of the police power, which the Founders denied the National Government and reposed in the States, than the suppression of violent crime and vindication of its victims.”).

It is an inversion of our constitutional structure, however, to require federal officers to abide by municipal policies regarding crowd dispersal when carrying

out their statutory prerogative to protect federal property and personnel. Federal officials are prohibited, of course, from “commandeering” state and local law enforcement officers to help secure federal property and must instead rely on voluntary cooperation with state and local officials for this purpose. *See Printz v. United States*, 521 U.S. 898, 935 (1997). Where such cooperation is inadequate, the federal government must deploy its own agents. In these circumstances, the agency’s *lawful* directives regarding crowd dispersal, *i.e.*, those adopted pursuant to a constitutionally enacted federal statute or rule, take precedence over state and local ones, not the other way around. Such an arrangement does not violate principles of federalism or dual sovereignty but is rather required by them. *See, e.g., Alden v. Maine*, 527 U.S. 706, 732 (1999) (federal government sets the supreme law of the land when acting within its enumerated powers).

The majority opinion relies heavily on the district court’s conclusion, with which it agrees, that it is, in fact, *unlawful* for federal agents to issue orders to disperse if they are situated beyond federal property. According to the majority, DHS and USMS have never claimed to have such authority, and the federal statute upon which they principally rely, 40 U.S.C. § 1315, does not provide for it.

The suggestion that the government has simply conceded this question is overstated. Although this issue was not adequately briefed by either party, the government has consistently articulated the position, both before the district court

and on appeal, that federal law enforcement officers may issue dispersal orders on federal property, and in several circumstances, may effectuate those orders *beyond* federal property, such as by establishing a secure perimeter. In particular, the government has invoked § 1315(b)(1), which provides that the Secretary of Homeland Security may designate DHS agents to protect federal property, including designating agents for duty in “areas outside the property to the extent necessary to protect the property and persons on the property.”

I am inclined to agree with the government’s general understanding of its statutory authority. As the government has pointed out, it would be unreasonable to require that federal officers charged with securing federal buildings wait until violent opportunists have breached the property line or entered the building before taking any protective measures. There is very likely a statutory basis for at least some crowd dispersal activity adjacent to a federal courthouse faced with violent unrest and the other challenging circumstances at issue here.

I also agree with the majority, however, that a determination of the precise scope of DHS’s and USMS’s statutory authority is not required for resolution of this emergency motion. Indeed, the statutory question muddles the First Amendment analysis upon which the district court’s injunction is ultimately grounded. Presumably, if federal officers have no statutory basis for dispersals beyond federal property, then any such dispersals are *ultra vires*, and the inquiry is

at an end. There is no reason to proceed to an evaluation of the constitutional rights of persons subject to such purportedly unlawful measures, let alone to construct a complex injunction that distinguishes the rights of press and “legal observers” from the rights of other participants in a protest. Ultimately, a lack of federal statutory authority for off-property dispersals, as such, cannot serve as the sole, or even primary, basis upon which this particular injunction is upheld, given its reliance on a painstaking analysis of purported *constitutional* violations with respect to *specific* persons. Thus, even if I were to accept the majority’s view that the injunction’s aim is simply to prohibit off-property dispersals by federal officers, which I do not, the injunction’s terms would be woefully underinclusive.

3

Even if a presumptive right of access for press and “legal observers” to witness law enforcement’s response to a riot could be said to exist, the inquiry does not end there. Under *Press-Enterprise II*, a presumptive right of public access to any particular proceeding may be overcome by an overriding government interest based on findings that closure is essential to preserve higher values and is narrowly tailored to serve that interest. 478 U.S. at 8–9.

The district court’s narrow tailoring analysis failed to take proper account of the government’s interests in defense of federal personnel and property, which justify use of general dispersal orders during riot control situations that threaten

federal resources, even in a public forum.<sup>8</sup> Here, considering the chaotic and dynamic situation during Portland’s recent protest events, which have frequently devolved into riots, along with the nefarious actions by certain individuals falsely purporting to be press or “legal observers,” closure of the forum through general dispersal orders is essential to the defense of federal personnel and property. Indeed, the closure of governmental proceedings has been deemed proper in several instances where the government’s interest was arguably less immediate and the restriction on access was equally broad. *Cf., e.g., Dhiab v. Trump*, 852 F.3d 1087, 1095 (D.C. Cir. 2017) (government’s interest in preventing future threats to military operations would justify closure of habeas proceedings); *U.S. v. Index Newspapers LLC*, 766 F.3d 1072, 1087 (9th Cir. 2014) (government’s interest in

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<sup>8</sup> In addition, the district court’s narrow tailoring analysis was conceptually flawed because the closure evaluated in the *Press-Enterprise II* framework should be that of a specific governmental proceeding, not of a public forum generally. Utilizing “right-of-public-access” analysis to evaluate the closure of a “traditional public forum,” such as a public street, is unsettling because government restrictions on First Amendment activity in such locations are usually evaluated under “public forum analysis,” which has been more extensively developed in the case law and provides more guidance regarding the policing of protest events. *See, e.g., Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37, 45 (1983); *Int’l Action Ctr. v. City of New York*, 587 F.3d 521, 527 (2d Cir. 2009); *Coal. to Protest Democratic Nat’l Convention v. City of Boston*, 327 F. Supp. 2d 61, 69–70 (D. Mass.), *aff’d sub nom. Bl(a)ck Tea Soc’y v. City of Boston*, 378 F.3d 8 (1st Cir. 2004).



secrecy justified closure of certain grand jury proceedings); *ACLU v. Holder*, 673 F.3d 245, 252 (4th Cir. 2011) (government’s interest in integrity of ongoing fraud investigation justified sealing of complaints filed in False Claims Act actions).

Moreover, if the categories of “journalist” and “legal observer” in fact include all members of the public engaged in observation, as distinguished from speech or protest—as the majority seems to suggest—then the government’s interests in full closure of the “proceeding” are even more compelling. Otherwise, in the event of a riot in a public forum that threatens federal property, federal officers could disperse only members of the public that are speaking, assembling, and protesting, but not members of the public that are observing or documenting. Peaceful protesters caught up in the riot would have to obey the dispersal order, but peaceful observers would not. This differential treatment is groundless and, in any event, would render federal dispersal orders a dead letter, even in the face of an undeniable threat to federal property and personnel. Federal law enforcement agents simply would not be allowed to clear the street. Such a prohibition is not only inconsistent with the government’s overriding interest in security in cases of violent unrest that threatens federal property and personnel, it is also contrary to established law in other First Amendment settings, which permits general dispersal orders in similar circumstances. *Cf., e.g., Bible Believers v. Wayne Cty., Mich.*, 805 F.3d 228, 252 (6th Cir. 2015) (“The police may go against the hecklers,

cordon off the speakers, or attempt to disperse the entire crowd if that becomes necessary.”). *Carr v. D.C.*, 587 F.3d 401, 409–10 (D.C. Cir. 2009) (“[W]hen police face an unruly crowd they *may* give a dispersal order and then arrest those who, after reasonable opportunity to comply, fail to do so. We continue to acknowledge that this tactic will be invaluable to police in certain circumstances. A dispersal order might well be necessary in a situation in which a crowd is substantially infected with violence or otherwise threatening public safety.” (internal citations and quotation marks omitted)); *Wise*, 2020 WL 5231486 at \*2 (recognizing propriety of general dispersal orders in response to Portland riots).

The only way the majority arrives at a different conclusion is by according deference to the district court’s factual findings, which placed heavy emphasis on the City of Portland’s consent to abide by an injunction with nearly identical terms and a declaration submitted by former DHS official Gil Kerlikowske stating that law enforcement officers may respond effectively to riots without dispersing journalists and “legal observers.” Evaluating whether a government measure is narrowly tailored is not simply a matter of ordinary fact-finding, however. Narrow tailoring is viewed as a mixed question of fact and law that requires a delicate balancing of legal principles as applied to specific circumstances. *See Gilbrook v. City of Westminster*, 177 F.3d 839, 861 (9th Cir. 1999); *Gerritsen v. City of Los Angeles*, 994 F.2d 570, 575 (9th Cir. 1993) (“[W]e review First Amendment

questions de novo since they present mixed questions of law and fact, requiring us to apply principles of First Amendment jurisprudence to the specific facts of this case.” (internal quotation marks omitted)); *see also Mastrovincenzo v. City of New York*, 435 F.3d 78, 100 (2d Cir. 2006) (“Our narrow-tailoring inquiry requires us to apply principles of First Amendment jurisprudence to the specific facts of this case, and therefore we treat this issue as a mixed question of law and fact that we may resolve on appeal.” (internal quotations marks omitted)); *Casey v. City of Newport, R.I.*, 308 F.3d 106, 116 (1st Cir. 2002) (“Inescapably, the application of the narrow tailoring test entails a delicate balancing judgment.” (citations omitted)). Accordingly, I would revisit the district court’s narrow tailoring inquiry, which I believe did not correctly balance the interests at stake.

The City’s stipulation does not have the import that the district court, and the majority, ascribe to it. That the City ultimately agreed to the terms of the injunction does not show that it complied with them, let alone that it did so and managed to protect property and personnel. In any event, the City’s agreeableness should not be overstated here. The PPB is still alleged to have followed until recently a policy of dispersing press and “legal observers,” the TRO was entered

without the City's consent, and, after the City agreed to a preliminary injunction, it suggested that modifications would be required.<sup>9</sup>

Moreover, as already discussed, holding DHS and USMS to the City's policies and practices reflects a misunderstanding of the relationship between federal and local law enforcement, each of which operates under a separate command structure and is typically entitled to set different enforcement priorities and to follow different directives regarding lawful crowd control tactics, including general dispersal orders. In this case, the City not only sought to distinguish the PPB from federal law enforcement, it has been explicitly adverse to the presence of federal officers in Portland, leveling serious allegations of unlawful conduct against them, and even going so far as to prohibit the PPB from cooperating with federal agents to provide security for the Hatfield Courthouse. The City's actions, and its filings in the district court, suggest that it has a divergent assessment of the severity of the threat posed to federal personnel and property by protest events that degenerate into riots, and of the proper manner of dealing with that threat. The

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<sup>9</sup> The City also resisted a very similar request for injunctive relief brought by so-called "protest medics." *Wise*, 2020 WL 5231486 at \*2. The City apparently argued, and the district court agreed, that an injunction exempting "protest medics" from dispersal orders would be unworkable for the PPB. Why the City expects the PPB to identify and to exempt "legal observers," but not "protest medics," is difficult to understand. *Cf. fn. 7, supra*.

City is entitled, of course, to utilize different crowd control tactics, but the City's choices obviously do not bind federal law enforcement agencies.

Similarly, Kerlikowske's testimony does not adequately address crowd control under the specific circumstances faced by federal officers in Portland. For example, he deals in a conclusory manner with the evidence placed in the record regarding the involvement of putative journalists and "legal observers" in criminal acts, stating that federal officers "were not fooled" by the "press" labels and that trained officers are capable of dealing with such incidents on an individualized basis. But effectuating an arrest may not be feasible or safe in the chaotic and dynamic environment of a riot that threatens federal property and personnel, which is why dispersal orders—and related crowd control tactics, such as deployment of tear gas—are understood to be legitimate law enforcement tools in the first place. *Cf. Wise*, 2020 WL 5231486 at \*2 (recognizing propriety of general dispersal orders in responding to Portland riots); *Don't Shoot Portland v. City of Portland*, No. 3:20-CV-00917-HZ, 2020 WL 3078329, at \*4 (D. Or. June 9, 2020) (allowing use of tear gas in situations where safety of public or police is at risk). Given the conclusory nature of Kerlikowske's testimony on this point, it is hardly definitive.

Accordingly, the government has made a strong showing that it is likely to succeed in demonstrating that the First Amendment-based right of public access does not support the district court's injunction.

## B

With respect to the “retaliation” claim, the district court also concluded that plaintiffs were likely to succeed, largely based on its detailed factual findings indicating a disturbing pattern of unwarranted force by federal agents. The majority opinion here discusses the “retaliation” claim extensively and ultimately defers to these factual findings.

Even if plaintiffs’ retaliation claim were viable, however, that claim alone cannot justify this injunction. The district court’s factual findings regarding retaliation, while apparently based on a meticulous examination of the record, bear no relation to the injunctive relief actually entered. General dispersal orders were not among the acts alleged to be retaliatory, nor did the district court make any findings to support such a conclusion. An injunction that exempts plaintiffs—not to mention, journalists and “legal observers” more generally—from dispersal orders is thus far broader than necessary to provide relief for the injuries alleged, and documented, as a result of retaliation.<sup>10</sup> Indeed, Judge Immergut, of the very same district court, relied on such reasoning in denying a similar request for injunctive relief based on First Amendment “retaliation” just two weeks after the

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<sup>10</sup> Remarkably, some of the allegations in the complaint regarding “retaliation” may well support *Bivens* actions and claims of excessive force against individual officers, but that is not what is before us today. *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388, 395 (1971).

instant preliminary injunction was entered. *Wise*, 2020 WL 5231486 at \*8 (injunction not warranted where instances of alleged targeting appeared to occur when “protest medics” refused to follow dispersal orders).

Accordingly, I would hold that, regardless of whether plaintiffs’ have stated a valid First Amendment “retaliation” claim, an injunction that exempts them from non-retaliatory dispersal orders is overbroad and an abuse of discretion. *See Cal. v. Azar*, 911 F.3d 558, 584 (9th Cir. 2018) (“The scope of the remedy must be no broader and no narrower than necessary to redress the injury shown by the [plaintiff].”)

I conclude that DHS and USMS have made a strong showing that they are likely to succeed in demonstrating that the district court’s extraordinary injunction was issued without an adequate legal basis. This critical *Nken* factor favors grant of the government’s emergency motion for stay pending appeal.

### III

The remaining *Nken* factors also favor a stay pending appeal here. First, while a closer question, the government has shown that it is likely to suffer irreparable harm during the pendency of the appeal if the injunction is not stayed, because it is unworkable for federal officers to distinguish journalists and “legal observers” in the midst of a riot that threatens federal property and personnel based

on the nebulous criteria established by the district court, particularly in light of the incidents of press and “legal observer” involvement in violent unrest.

The majority rejects the government’s showing on this factor, stating that the injunction is carefully drawn to avoid undue interference with DHS’s and USMS’s defense of federal resources, that the PPB has been operating safely and effectively under nearly identical terms, and that Kerlikowske’s declaration indicates that general dispersal orders are unnecessary for crowd control. The majority’s characterization of the order as carefully drawn is misleading because the order merely restates existing legal rules, such as an officer’s power to make an arrest based on probable cause. And the order does not explain how effectuating arrest of individual suspects is as feasible or safe as utilizing general crowd control tactics during a riot that threatens federal property and personnel. Similarly, the City’s stipulation and Kerlikowske’s declaration do not warrant the treatment they receive, for the reasons discussed above.

Second, the harms to the government are serious because the injunction’s curtailment of general dispersal orders will compromise the security of federal personnel and property, whereas, if there is no right of public access, as I have argued, then any harm to plaintiffs from a stay is minimal because they do not have a right to remain in the street after they have been ordered to disperse, and the injunction does not protect them from retaliation. Third, for similar reasons, the



public interest in maintenance of order and public safety also favors stay of an overbroad injunction that unduly interferes with law enforcement operations, while offering little, if any, protection for plaintiffs' actual constitutional rights. This combination of showings justifies a stay pending appeal. *See Leiva-Perez v. Holder*, 640 F.3d 962, 970 (9th Cir. 2011) (stay warranted where irreparable harm is probable, there is a strong likelihood of success on the merits, and the public interest does not weigh heavily against a stay).

#### IV

Because the government has made a strong showing that it is likely to succeed in demonstrating that the injunction lacks an adequate legal basis, and the other *Nken* factors also weigh in favor of a stay, I respectfully dissent and would grant the emergency motion for stay pending appeal.

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/2/2020 11:29:57 AM  
**To:** SRTHQ (b)(7)(E)  
(b)(7)(E)  
**Subject:** FW: Portland Civil Unrest -- Eighth Complaint Filed -- Pettibone v. Trump  
**Attachments:** Pettibone v. Trump Complaint.pdf

(b)(6), (b)(7)(C)  
Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, August 31, 2020 4:49 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** Fwd: Portland Civil Unrest -- Eighth Complaint Filed -- Pettibone v. Trump

(b)(6), (b)(7)(C)  
Deputy Executive Director – Operations  
Office of Field Operations  
U.S. Customs and Border Protection  
(b)(6), (b)(7)(C) (office)  
(b)(6), (b)(7)(C) (cell)

**From:** COUREY, MARC BENNETT (OCC) (b)(6), (b)(7)(C)  
**Sent:** Monday, August 31, 2020 4:41:42 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C)  
SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) PORVAZNIK,  
ANTHONY J (b)(6), (b)(7)(C) DANLEY, ROBERT (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C) FORET,  
VERNON T (b)(6), (b)(7)(C) DAVIES,  
MATTHEW S (b)(6), (b)(7)(C) FALK, SCOTT K (OCC) (b)(6), (b)(7)(C) WILLIAMS,  
MARTA (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** Portland Civil Unrest -- Eighth Complaint Filed -- Pettibone v. Trump

Commissioner and Deputy Commissioner – We write to update you on the filing of an eighth matter relating to federal operations in Portland. On August 26, 2020, individuals Mark Pettibone, Fabiym Acuay, Andre Miller, Nichol Denison, Maureen Healy, Christopher David, Duston Obermeyer, James McNulty, the Black Millennial Movement, and the non-profit corporation Rose City Justice, filed a lawsuit in the District Court of Oregon against President Trump (in his official capacity), Acting Secretary Wolf (individual and official capacity), FPS Regional Director Gabriel Russell (individual and official capacity), unknown individual federal officers/agents (individual capacities), DHS, and USMS.

Plaintiff Pettibone alleges that he was walking home after attending a protest near the Hatfield Courthouse in Portland when federal officers/agents put him in an unmarked vehicle without cause or explanation and transported him to the courthouse. At the courthouse, he was photographed, searched, handcuffed, Mirandized, and put in a cell. Mr. Pettibone further alleges that after he “refused to answer questions and requested a lawyer,” the federal officers/agents released him.

Plaintiffs Fabiym Acuay, Andre Miller, Nichol Denison, Maureen Healy, Christopher David, Duston Obermeyer, and James McNulty allege they were attending protests near the Hatfield Federal Courthouse when federal officers/agents used excessive force against them. Plaintiff Acuay, Miller, Denison, and Healy allege federal officers/agents shot or threw munitions at them. These plaintiffs allege the munitions hit them in the head. Plaintiffs David and Obermeyer allege federal officers/agents used chemical irritants on them and beat them. Plaintiff McNulty alleges federal officers/agents threw a flash bang grenade that detonated “at his feet” and then shot him four times with various munitions. The Black Millennial Movement and Rose City Justice allege that federal officers/agents exposed their members to tear gas. Rose City Justice further alleges that federal officers/agents shot its members with munitions. Plaintiffs allege that various injuries resulted from these actions.

Plaintiffs assert *Bivens* claims (for violations of the First and Fourth Amendments), Administrative Procedure Act claims, an ultra vires claim of actions beyond authorized powers, conspiracy to deprive civil rights, and failure to prevent a conspiracy to deprive civil rights, against various Defendants. Plaintiffs are seeking monetary damages, various declaratory judgments, various forms of injunctive/equitable relief, and fees/costs.

We (b)(5) will continue to keep you updated. Please let us know if you have any questions or would like to discuss. Thanks.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney Client Privileged \*\*~~

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Andre Miller, Nichol Denison, Maureen Healy, Christopher David,  
Duston Obermeyer, James McNulty, Black Millennial  
Movement, and Rose City Justice, Inc.

*[Additional counsel for Plaintiffs listed on signature page]*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

MARK PETTIBONE, an individual;  
FABIYM ACUAY (a.k.a., MAC SMIFF),  
an individual;  
ANDRE MILLER, an individual;  
NICHOL DENISON, an individual;  
MAUREEN HEALY, an individual;  
CHRISTOPHER DAVID, an individual;  
DUSTON OBERMEYER, an individual;  
JAMES MCNULTY, an individual;  
BLACK MILLENNIAL MOVEMENT, an  
organization; and ROSE CITY JUSTICE,  
INC., an Oregon nonprofit corporation,

Case No.: 3:20-cv-1464

COMPLAINT

(28 U.S.C. § 1332)

DEMAND FOR JURY TRIAL

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity; CHAD F. WOLF, in his individual and official capacity; GABRIEL RUSSELL, in his individual and official capacity; JOHN DOES 1-200, in their individual capacities; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; and UNITED STATES MARSHALS SERVICE,

Defendants.

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Plaintiffs Mark Pettibone, Mac Smiff, Andre Miller, Nichol Denison, Maureen Healy, Christopher David, Duston Obermeyer, James McNulty, Black Millennial Movement, and Rose City Justice, Inc. (collectively, “Plaintiffs”), for their Complaint against the named defendants (“Defendants”), allege as follows:

## I. INTRODUCTION

1. Plaintiffs are individual Oregonians—or, in the case of Black Millennial Movement and Rose City Justice, Inc., associations of individual Oregonians—who lawfully participated in protests in Portland, Oregon directed against systemic racism and police violence towards Black Americans following the Minneapolis Police killing of George Floyd on May 25, 2020. This action arises out of Defendants’ unlawful attempts to crush Black protesters and their supporters through the use of excessive force and illegal detentions against Plaintiffs in violation of their rights under the First and Fourth Amendments of the United States Constitution as well as federal statutory law.

2. As part of a federal mission known as “Operation Diligent Valor,” spurred by President Donald J. Trump and directed by the purported Acting Director of the United States

Department of Homeland Security (“DHS”) Chad Wolf, the federal government deployed more than a hundred federal law enforcement officers or agents employed by a variety of federal agencies in an alleged effort to “quell” the protests, which were occurring near the Mark O. Hatfield Federal Courthouse (the “Hatfield Courthouse”) in the center of Portland. Such federal law enforcement officials, heavily armed and clad in military-type camouflage or dark uniforms, indiscriminately used violent tactics on lawful protesters, including shooting them in the head and body with impact munitions and pepper balls, spraying them directly in the face with pepper spray, shoving them to the ground, hitting and beating them with batons, firing massive clouds of tear gas at them, and, in some instances, arresting and detaining them without any lawful basis. The federal agencies or divisions and their leaders and employees responsible for this conduct are the Defendants in this action.

3. Defendants’ actions in support of “Operation Diligent Valor” manifestly violated Plaintiffs’ rights enshrined in the First and Fourth Amendments to the United States Constitution: the rights to peaceful assembly, to freedom of speech, and to freedom from unwarranted governmental seizures.

4. Defendants’ actions also violated federal statutory law for at least two reasons:

a. First, “Operation Diligent Valor” was not legally authorized. Pursuant to 40 U.S.C. § 1315(a), the Acting Secretary of DHS has limited statutory authority to designate DHS employees to “protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government . . . and the persons on the property.” Defendant Wolf, however, had no such authority because he was not properly designated and serving as the Acting Secretary of DHS under the requirements of the Homeland Security Act of 2002, 6 U.S.C. § 113(g), and the Federal Vacancies Reform

Act, 5 U.S.C. § 3348. As a result, he had (and still has) no authority whatsoever under 40 U.S.C. § 1315 and his designation of DHS officers pursuant to “Operation Diligent Valor” was null and void.

b. Second, even assuming “Operation Diligent Valor” had been properly authorized, the DHS officers conducting the operation exceeded their limited powers under 40 U.S.C. § 1315, which does not allow making warrantless arrests or taking actions such as detaining individuals or suppressing protests in locations that are away from, or not required to protect, federal property.

5. Plaintiffs are now asking the Court to protect them and vindicate their rights by declaring Defendants’ actions unlawful, entering appropriate injunctive relief, and awarding them economic damages for the violation of their constitutional rights.

## II. PARTIES

### A. Plaintiffs.

6. Plaintiff Mark Pettibone is a 30-year-old resident of Multnomah County, Oregon and a citizen of the United States. He is currently employed as an essential worker by a national grocery company. He is a supporter of Black Lives Matter and a participant in the recent protests outside the Hatfield Courthouse.

7. Plaintiff Fabiym Acuay (a.k.a. and referred to herein as Mac Smiff) is a 39-year-old resident of Multnomah County, Oregon and a citizen of the United States. He is an artist, a utility worker, and the editor-in-chief of a hip-hop magazine. He is a veteran activist and has been attending Black Lives Matter events in Portland for more than six years, including the recent protests outside the Hatfield Courthouse.

8. Plaintiff Andre Miller is a 36-year old resident of Clackamas County, Oregon and a citizen of the United States. He is currently employed as a facilities and warehouse manager. He is a supporter of Black Lives Matter and participated in the recent protests outside the Hatfield Courthouse on multiple occasions.

9. Plaintiff Nichol Denison is a 39-year-old resident of Washington County, Oregon and a citizen of the United States. She is a veteran of the United States Air Force and is currently employed as an advisor at a global company that manufactures and retails personal care products. She has participated in the protests outside the Hatfield Courthouse on multiple occasions.

10. Plaintiff Maureen Healy is a 52-year-old resident of Multnomah County, Oregon and a citizen of the United States. She is currently employed as a history professor at Lewis & Clark College in Portland, Oregon, where she also serves as Chair of the History Department. She has participated in Black Lives Matter protests in multiple locations across the City of Portland, including outside the Hatfield Courthouse.

11. Plaintiff Christopher David is a 53-year-old resident of Multnomah County, Oregon and a citizen of the United States. He is a graduate of the United States Naval Academy, a former member of the United States Navy's Civil Engineer Corps, and currently employed by the Department of Veteran's Affairs ("VA") hospital in Portland as a clinical chemist. He has participated in the protests outside the Hatfield Courthouse in Portland and is a co-founder of Wall of Vets, an unincorporated association initially formed to support the Black Lives Matter protesters outside the Hatfield Courthouse.

12. Plaintiff Duston Obermeyer is a 42-year-old resident of Clackamas County, Oregon and a citizen of the United States. He is a graduate of the United States Naval Academy,



a decorated combat veteran of the United States Marine Corps, and currently works as a real estate broker in Lake Oswego, Oregon. Like Plaintiff David, he has participated in the protests outside the Hatfield Courthouse in Portland and is a co-founder of Wall of Vets.

13. Plaintiff James McNulty is a 42-year-old resident of Multnomah County, Oregon and a citizen of the United States. He is currently employed as an educational department manager at a local university hospital. He has attended the protests outside the Hatfield Courthouse in support of Black Lives Matter and against the disproportionate use of police violence against Black individuals.

14. Plaintiff Black Millennial Movement is an unincorporated association founded in June 2020 by Cameron Whitten, together with Gregory McKelvey, Shanice Clarke, Candace Avalos, and others, with a mission to reclaim space for the voice of Black Millennials on issues such as criminal justice, policing, and student debt. Members of Black Millennial Movement have participated frequently in the protests outside the Hatfield Courthouse in support of Black Lives Matter and against the disproportionate use of police violence against Black individuals.

15. Plaintiff Rose City Justice, Inc. is an Oregon nonprofit corporation whose mission is to bring awareness to the community, to reform systems founded on inequitable and racist ideals, and to demand justice in a nonviolent manner. Rose City Justice, Inc.'s members participated in the Black Lives Matter protests outside the Hatfield Courthouse to provide support and assistance.

**B. Defendants.**

16. Defendant Donald J. Trump is the President of the United States. He participated with Defendant Wolf and others in setting in motion and causing deployment of "Operation Diligent Valor," as well as in acquiescing in and ratifying the unconstitutional and unlawful

actions of DHS and other federal government employees as part of that operation. He is sued in his official capacity.

17. Defendant Chad F. Wolf is a government official who purports to serve as the Acting Secretary of DHS; however, he was not properly designated to that position in accordance with the Homeland Security Act of 2002, 6 U.S.C. § 113(g). He participated in setting in motion, causing, and supervising “Operation Diligent Valor,” designating DHS employees to serve in that operation, and acquiescing in and ratifying the unconstitutional and unlawful actions of such employees as set forth below. He is sued in his individual and official capacities.

18. Defendant Gabriel Russell is the Regional Director for Region 10 of the Federal Protective Service (“FPS”), which is an agency housed within DHS, where it is responsible for protection of federal property. He commanded the DHS Rapid Deployment Force for “Operation Diligent Valor,” and is responsible for the actions of the federal employees who conducted that operation and who currently remain stationed in Portland, Oregon. He is sued in his individual and official capacities.

19. Defendants Does 1-200 (“Defendant Does”) are unknown officers, agents, or contract employees of DHS and/or the United States Marshals Service (“USMS”) deployed to Portland under color of federal authority as part of or in connection with “Operation Diligent Valor.” They are not readily identifiable because they frequently acted in groups and wore uniforms, helmets, and/or other clothing without obvious identifying information. Plaintiffs will amend the Complaint to allege their true names and identities when ascertained. Defendants Does are sued in their individual capacities.

20. Defendant DHS is a cabinet-level department of the United States government that houses various departments and agencies, including United States Customs and Border Protection (“CBP”), FPS, and Immigration and Customs Enforcement (“ICE”). Defendant DHS is an “agency” as that term is defined in 5 U.S.C. § 551(1).

21. Defendant USMS is a federal law enforcement agency housed within the United States Department of Justice. Defendant USMS is an “agency” as that term is defined in 5 U.S.C. § 551(1).

22. Each Defendant is responsible to Plaintiffs for the injuries and damages that Plaintiffs have suffered as a result of the actions of the Defendants alleged in this Complaint.

### **III. JURISDICTION AND VENUE**

23. This Court has subject matter jurisdiction over this case under 28 U.S.C. § 1331 because the claims in this action present federal questions in that they: (1) seek to redress the deprivation of rights under the First and Fourth Amendments to the United States Constitution, (2) arise under the federal Administrative Procedures Act, and (3) arise under 28 U.S.C. § 1343 because they seek to redress violations of 42 U.S.C. §§ 1985 and 1986.

24. Venue is proper in the United States District Court, District of Oregon, Portland Division, because the events giving rise to the claims took place in Multnomah County, Oregon.

### **IV. FACTUAL BACKGROUND**

#### **A. The Portland Protests and the Federal Deployment of “Operation Diligent Valor.”**

25. Just after 8:00 p.m. on May 25, 2020, Minneapolis Police officers killed George Floyd, a 46-year-old African American man. Mr. Floyd was arrested on suspicion of his involvement in a nonviolent offense. After he was handcuffed and fell to the pavement, a police officer knelt on Mr. Floyd’s neck with the weight of his body. For eight minutes and 46

seconds, the officer held his knee on Mr. Floyd’s neck as Mr. Floyd pleaded for relief, until he was killed. Other officers held his legs or stood by and watched.

26. The video of Mr. Floyd’s murder—coupled with the nation’s long history of police killings of a disproportionately large number of Black Americans—triggered a series of protests opposing rampant police violence against Black Americans and supporting Black Lives Matter across the county, including in Portland, Oregon.

27. Beginning on or about May 29, 2020, protesters took to the streets of Portland in large numbers. These protests have continued for more than 80 consecutive nights and have included regular protests in the city parks and streets that surround the Hatfield Courthouse and the Multnomah County Justice Center.

28. Over the course of the month following Mr. Floyd’s tragic death, Defendant Trump issued multiple statements denouncing the protests in various cities and threatening to use federal forces to crush them. For example, on May 29, 2020, three days after the protests began in Minneapolis, Defendant Trump issued a tweet stating, “Either the very weak Radical Left Mayor, Jacob Frey, get his act together and bring the City under control, or I will send in the National Guard & get the job done right.”<sup>1</sup> He continued, “Any difficulty and we will assume control, but when the looting starts the shooting starts.”<sup>2</sup> Similarly, on June 3, 2020, he claimed in a televised broadcast interview with Sean Spicer “the nation needs law and order because you have a bad group of people out there and they’re using George Floyd and they’re using a lot of

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<sup>1</sup> Donald J. Trump (@realDonaldTrump), Twitter (May 28, 2020, 9:53 PM), <https://twitter.com/realdonaldtrump/status/1266231100172615680>.

<sup>2</sup> Donald J. Trump (@realDonaldTrump), Twitter (May 28, 2020, 9:53 PM), <https://twitter.com/realdonaldtrump/status/1266231100780744704>.

other people to try and do some bad things,” and that “super-liberal mayors” were undermining local law enforcement, requiring his administration to bring in the National Guard.<sup>3</sup>

29. On June 26, 2020, as the protests in Portland and elsewhere continued, Defendant Trump went further, issuing an Executive Order on Protecting American Monuments, Memorials, and Statutes and Combating Recent Criminal Violence (“Executive Order”).<sup>4</sup> The Executive Order blamed “left-wing extremists” for “advanc[ing] a fringe ideology that paints the United States of America as fundamentally unjust and have sought to impose that ideology on Americans through violence and mob intimidation.”<sup>5</sup> In addition, it directed the Secretary of DHS to provide “personnel to assist with the protection of Federal monuments, memorials, statues, or property.”<sup>6</sup>

30. The Executive Order reflected Defendant Trump’s consistent policy of defending racist monuments and institutions and attacking individuals who seek to dismantle them as lawless extremists. For example, in a press conference on August 15, 2017, Defendant Trump criticized protesters who sought to confront white nationalist and neo-Nazi groups opposing the removal of a statue of Robert E. Lee in Charlottesville, Virginia as “alt-left” groups who were “very, very violent,” suggesting that both sides were to blame for the clash, even though the principal violence was by a right-wing extremist who killed a woman by driving his car into

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<sup>3</sup> Associated Press Video Transcript, *Trump: ‘the nation needs law and order’*, June 4, 2020, <https://news.yahoo.com/trump-nation-needs-law-order-093644124.html>.

<sup>4</sup> Exec. Order No. 13,933, 85 Fed. Reg. 40,081 (June 26, 2020), <https://www.whitehouse.gov/presidential-actions/executive-order-protecting-american-monuments-memorials-statues-combating-recent-criminal-violence/>.

<sup>5</sup> *Id.* at 40,081.

<sup>6</sup> *Id.* at 40,083.

her.<sup>7</sup> Two days later, on August 17, 2017, Defendant Trump issues a tweet railing against those who sought to remove Confederate statues, saying “Sad to see the history and culture of our great country being ripped apart with the removal of our beautiful statues and monuments. You...can’t change history but you can learn from it. Robert E. Lee, Stonewall Jackson-who’s next, Washington, Jefferson? So foolish!”<sup>8</sup> Similarly, on July 6, 2020, Defendant Trump mounted a defense of the Confederate flag and suggested NASCAR had made a mistake in banning it at racing events while accusing a well-known Black race driver, Darrell Wallace, Jr., of perpetrating a hoax involving a noose found in his garage.<sup>9</sup>

31. Acting pursuant to Defendant Trump’s Executive Order and consistent with his purpose of suppressing protests against racism and white nationalism, on July 1, 2020, Defendant Wolf announced that DHS would form a special task force charged with “conduct[ing] ongoing assessments of potential civil unrest or destruction and allocat[ing] resources to protect people and property,” and to engage in “potential surge activity to ensure the continuing protection of critical locations.”<sup>10</sup> He further stated that the federal government “won’t stand idly by while

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<sup>7</sup> Michael D. Shear, et al., *Trump Defends Initial Remarks on Charlottesville; Again Blames ‘Both Sides’*, N.Y. Times, Aug. 15, 2017, <https://www.nytimes.com/2017/08/15/us/politics/trump-press-conference-charlottesville.html>.

<sup>8</sup> David Nakamura, *Trump mourns loss of ‘beautiful statues and monuments’ in wake of Charlottesville rally over Robert E. Lee statue*, Wash. Post, August 17, 2017, <https://www.washingtonpost.com/news/post-politics/wp/2017/08/17/trump-mourns-loss-of-beautiful-statues-and-monuments-in-wake-of-charlottesville-rally-over-robert-e-lee-statue/>.

<sup>9</sup> Maggie Haberman, *Trump Adds to Playbook of Stoking White Fear and Resentment*, N.Y. Times, July 6, 2020, <https://www.nytimes.com/2020/07/06/us/politics/trump-bubba-wallace-nascar.html>.

<sup>10</sup> Press Release, U.S. Dep’t of Homeland Sec., DHS Announces New Task Force to Protect American Monuments, Memorials, and Statues (July 1, 2020), <https://www.dhs.gov/news/2020/07/01/dhs-announces-new-task-force-protect-american-monuments-memorials-and-statues>.

violent anarchists and rioters seek not only to vandalize and destroy the symbols of our nation, but to disrupt law and order and sow chaos in our communities.”<sup>11</sup>

32. In accordance with his announcement, Defendant Wolf and DHS officials created and sent a Rapid Deployment Force to Portland in advance of the July 4, 2020 holiday weekend as part of what they termed “Operation Diligent Valor.”<sup>12</sup> The Rapid Deployment Force, which was directed by Defendant Russell, was composed of approximately 114 CBP and ICE officers. The CBP officers included members of the Border Patrol Tactical Unit, a quasi-militarized operations unit typically based on the United States-Mexico border or deployed overseas.<sup>13</sup> As DHS itself has admitted, while such federal officers are heavily armed, they do “not specifically [have] train[ing] in riot control or mass demonstrations,” *e.g.*, in policing protests that are subject to First Amendment protections.<sup>14</sup>

33. “Operation Diligent Valor” also relied on USMS officers who were present or brought to Portland and who conducted operations in concert with the DHS Rapid Deployment Force.

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<sup>11</sup> *Id.*

<sup>12</sup> Gabriella Borter, *Court Documents Reveal Secretive Federal Unit Deployed for ‘Operation Diligent Valor’ in Oregon*, Reuters, July 22, 2020, <https://www.reuters.com/article/us-global-race-portland-valor/court-documents-reveal-secretive-federal-unit-deployed-for-operation-diligent-valor-in-oregon-idUSKCN24N2SH>.

<sup>13</sup> Ben Fox & Gillian Flaccus, *Homeland Security Gets New Role Under Trump Monument Order*, Associated Press, July 10, 2020, <https://apnews.com/4435a1f27cf85e087e112ba1224a2f1f> (last accessed August 26, 2020); Ed Pilkington, *‘These Are His People’: Inside the Elite Border Patrol Unit Trump Sent to Portland*, The Guardian, July 27, 2020, [https://www.theguardian.com/us-news/2020/jul/27/trump-border-patrol-troops-portland-bortac?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/us-news/2020/jul/27/trump-border-patrol-troops-portland-bortac?CMP=Share_iOSApp_Other).

<sup>14</sup> Sergio Olmos et al., *Federal Officers Deployed in Portland Didn’t Have Proper Training*, *D.H.S. Memo Said*, N.Y. Times, July 18, 2020, <https://www.nytimes.com/2020/07/18/us/portland-protests.html>.

34. Starting in the early morning hours of July 4, 2020, the Rapid Deployment Force and affiliated USMS officers began to engage in tactical operations designed to crush the protests in Portland and to further Defendant Trump's stated political aim of appearing to take control over allegedly lawless cities run by Democratic mayors. The tactics used by the officers went beyond what was required for their limited mission of protecting federal property and reflected a policy designed to retaliate against and to deter the protesters because of their views and beliefs. These tactics included the use of surveillance, warrantless arrests, or custodial detentions of protesters, and the indiscriminate use of excessive force, including shooting protesters in the head and body with impact munitions and pepper balls, spraying them directly in the face with pepper spray, shoving them to the ground, hitting and beating them with batons, and firing massive clouds of tear gas at them, even when doing so was not necessary to protect federal property.

35. Many of these unlawful actions were captured on video or photographed by the news media or other protesters as they occurred. For example, on Saturday, July 11, 2020, Oregon Public Broadcasting ("OPB") published a video showing federal law enforcement officers shooting a 26-year-old protester, Donovan LaBella, in the head with impact munitions. At the time Mr. LaBella was shot, he was standing across the street from the Hatfield Courthouse protesting while holding a music speaker above his head.<sup>15</sup> As a result of that shooting, Mr. LaBella suffered severe injuries—he was initially in critical condition upon admission to a hospital with a skull fracture, and he subsequently underwent facial reconstruction surgery for his injuries.

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<sup>15</sup> Jonathan Levinson, *Federal Officers Shoot Portland Protester in Head with 'Less Lethal' Munitions*, OPB, July 12, 2020, <https://www.opb.org/news/article/federal-officers-portland-protester-shot-less-lethal-munitions/>.



36. Beginning on July 21, 2020, the *New York Times* also issued a series of stories documenting various violent actions by federal officers, including indiscriminate flooding of streets with tear gas,<sup>16</sup> throwing protesters to the ground to detain them,<sup>17</sup> firing off flash grenades,<sup>18</sup> declaring a protest an unlawful assembly,<sup>19</sup> and pushing into the streets of Portland well away from the Hatfield Courthouse, which is the locus of their purported authority.<sup>20</sup>

37. Still others have issued reports of federal officers stopping drivers and pulling them out of vehicles. Below is one such photo post from Sergio Olmos, a freelance reporter who has covered the protests for the *New York Times*:<sup>21</sup>



<sup>16</sup> Mike Baker et al., *Federal Agents Push into Portland Streets, Stretching Limits of Their Authority*, N.Y. Times, July 25, 2020, <https://www.nytimes.com/2020/07/25/us/portland-federal-legal-jurisdiction-courts.html>.

<sup>17</sup> Mike Baker, *Chaotic Scenes in Portland as Backlash to Federal Deployment Grows*, N.Y. Times, July 21, 2020, <https://www.nytimes.com/2020/07/21/us/portland-protests.html>.

<sup>18</sup> Baker et al., *supra* note 16.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*; Jonathan Levinson et al., *50 Days of Protest in Portland. A Violent Police Response. This Is How We Got Here*, OPB, July 19, 2020, <https://www.opb.org/news/article/police-violence-portland-protest-federal-officers/>.

<sup>21</sup> Sergio Olmos (@MrOlmos), Twitter (July 22, 2020, 2:41 AM), <https://twitter.com/MrOlmos/status/1285872637109866498>.

38. This same practice of snatching protesters off the street was reported by OPB on July 16, 2020<sup>22</sup> and by an individual protester on July 17, 2020, who posted an online video that showed two men in unidentifiable military-style uniforms seize an isolated individual on a sidewalk, then force him into an unmarked grey van and drive him away for no apparent reason.<sup>23</sup>

**B. The Individual Defendants Confirm and Ratify Their Support for “Operation Diligent Valor” Despite Denouncements by State and Local Officials.**

39. Defendants’ unlawful actions under “Operation Diligent Valor” were immediately condemned by state and local officials. For example, Oregon Governor Kate Brown denounced the shooting of Mr. LaBella as “the tragic and avoidable result of President Donald Trump, for weeks, continuing to push for force and violence in response to protests . . . . President Trump deploying armed federal officers to Portland only serves to escalate tensions and, as we saw yesterday, will inevitably lead to unnecessary violence and confrontation.”<sup>24</sup> Portland Mayor Ted Wheeler echoed Governor Brown’s concern, stating “the actions of federal officers last night escalated, rather than de-escalated, already heightened tensions in our city.”<sup>25</sup>

40. Individual Defendants Trump and Wolf nonetheless publicly proclaimed their firm support for the tactics employed as part of “Operation Diligent Valor” and reiterated that the

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<sup>22</sup> Jonathan Levinson & Conrad Wilson, *Federal Law Enforcement Use Unmarked Vehicles to Grab Protesters Off Portland Streets*, OPB, July 16, 2020, <https://www.opb.org/news/article/federal-law-enforcement-unmarked-vehicles-portland-protesters/>.

<sup>23</sup> Video, *Feds in Camo Grabs Antifa Suspects in Portland*, YouTube (July 17, 2020), <https://www.youtube.com/watch?v=we7lYeNBgck>.

<sup>24</sup> *Oregon Leaders React After Portland Protester Injured, in Serious Condition*, KATU, July 12, 2020, <https://katu.com/news/local/oregon-leaders-react-to-federal-officer-arrests-in-downtown-portland>.

<sup>25</sup> *U.S. Marshals to Investigate Incident That Injured Protester, Mayor Wheeler Says*, KATU, July 12, 2020, <https://katu.com/news/local/us-marshals-to-investigate-incident-that-injured-protester-mayor-wheeler-says>.

purpose of the operation was to crush the protests. For example, on July 13, 2020, two days after Mr. LaBella's shooting, Defendant Trump lauded federal authorities for doing "a great job" in Portland.<sup>26</sup> He stated that "Portland was totally out of control . . . [A]nd we very much quelled it, and if it starts again, we'll quell it again very easily."<sup>27</sup>

41. Similarly, on July 16, 2020, Defendant Wolf issued a statement while visiting Portland in which he referred to Portland's demonstrators as "violent anarchists" and a "violent mob," and stated that "local and state leaders are . . . focusing on placing blame on law enforcement and requesting fewer officers in their community."<sup>28</sup> In response to what he characterized as an invitation for DHS to pack up and go home, Defendant Wolf was blunt: "That's just not going to happen on my watch."<sup>29</sup>

42. The next day, July 17, 2020, Defendant Wolf posted a photo on Twitter of federal agents in camouflage within the Hatfield Courthouse, writing that "[w]e will never surrender to violent extremists on my watch." He later removed the post.<sup>30</sup>

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<sup>26</sup> Noelle Crombie, *Trump Says Feds in Portland Have Done 'a Great Job' on Protests*, OregonLive.com, July 13, 2020, <https://www.oregonlive.com/crime/2020/07/trump-says-feds-in-portland-have-done-a-great-job-on-protests.html>; Remarks in a Roundtable Discussion on the Positive Impact of Law Enforcement and an Exchange with Reporters, 2009 Daily Comp. Pres. Doc., DCPD 202000512 (July 13, 2020), <https://www.govinfo.gov/content/pkg/DCPD-202000512/pdf/DCPD-202000512.pdf>.

<sup>27</sup> Crombie, *supra* note 26.

<sup>28</sup> Press Release, U.S. Dep't of Homeland Sec., Acting Secretary Wolf Condemns the Rampant Long-Lasting Violence in Portland (July 16, 2020), <https://www.dhs.gov/news/2020/07/16/acting-secretary-wolf-condemns-rampant-long-lasting-violence-portland>.

<sup>29</sup> Acting Secretary Chad Wolf (@DHS\_Wolf), Twitter (July 17, 2020, 4:02 AM), [https://twitter.com/DHS\\_Wolf/status/1284081029683257344](https://twitter.com/DHS_Wolf/status/1284081029683257344).

<sup>30</sup> *DHS Chief: 'We Will Never Surrender to Violent Extremists' in Portland*, KOIN, July 27, 2020, <https://www.koin.com/news/protests/dhs-chief-will-never-surrender-to-violent-extremists-in-portland>.

43. One day later, on July 18, 2020, Defendant Trump issued a Twitter post, stating, “We are trying to help Portland, not hurt it . . . . Their leadership has, for months, lost control of the anarchists and agitators. They are missing in action. We must protect Federal property, AND OUR PEOPLE. These were not merely protesters, these are the real deal!”<sup>31</sup>

44. On July 20, 2020, Defendant Trump again criticized Portland as “totally out of control . . . the liberal Democrats running the place had no idea what they were doing.” He went still further, threatening to deploy federal law enforcement officers to other cities run by “liberal Democrats,” specifically New York, Chicago, Philadelphia, Detroit, Baltimore, and Oakland. He portrayed those cities as out of control, characterizing them as “run by very liberal Democrats. All run, really, by radical left.”<sup>32</sup>

**C. Continued State and Local Opposition Finally Leads to a Stand Down, but Federal Officers Remain in Portland Poised to Recommence Operations.**

45. Despite the statements of Individual Defendants Trump and Wolf supporting “Operation Diligent Valor,” state and local leaders continued to press their request that federal law enforcement officers leave Portland. For example, on July 19, Portland City Commissioner Jo Ann Hardesty stated that she was joining “the loud chorus of elected officials calling for the federal troops in Portland’s streets to go home . . . . Their presence here has escalated tensions and put countless Portlanders exercising their First Amendment rights in greater danger.”<sup>33</sup>

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<sup>31</sup> *House Leaders ‘Alarmed’ Federal Officers Policing Protests*, Associated Press, July 19, 2020, <https://apnews.com/7c8c1a311b5c668a8cd4f757453bcf5c>.

<sup>32</sup> The White House, Remarks by President Trump on Phase Four Negotiations, July 20, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-phase-four-negotiations/>.

<sup>33</sup> Katie Shepherd & Mark Berman, *‘It Was Like Being Preyed Upon’: Portland Protesters Say Federal Officers in Unmarked Vans Are Detaining Them*, Wash. Post, July 17, 2020, <https://www.washingtonpost.com/nation/2020/07/17/portland-protests-federal-arrests/>.

46. These calls reflected the widely reported fact that the presence of federal officers was aggravating rather than diffusing tension at the protests and significantly increasing the number of protesters, many of whom were now protesting against the presence of the federal officers as well as in support of Black Lives Matter and in opposition to police violence against Black Americans.<sup>34</sup> Indeed, federal law enforcement officers speaking on the condition of anonymity acknowledged to OPB that their actions “contributed to the quick escalation between law enforcement and groups of protesters, which had dwindled to a couple hundred people or less earlier this month [*i.e.*, before the attack on Mr. LaBella].”<sup>35</sup> Such officers also acknowledged that “the nature of the situation in Portland is a ‘crisis’ being watched and managed from the highest levels of the federal government.”<sup>36</sup>

47. Against this backdrop, on July 28, 2020, Governor Brown negotiated an agreement with Vice President Mike Pence and other senior federal administration officials under which CBP and ICE officers would “leave downtown Portland” and Oregon State Police would step in to keep the peace and allow protesters to refocus attention on racial justice and police accountability.<sup>37</sup>

48. While federal officials have acknowledged this arrangement, they have steadfastly refused to commit to a full disengagement. For example, on July 28, 2020, Defendant Wolf acknowledged that Oregon State Police would step in, but informed the nation that DHS “will

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<sup>34</sup> Giulia McDonnell Nieto del Rio, *What Do Portland Protesters Want, and How Have the Police Responded?*, N.Y. Times, July 31, 2020, <https://www.nytimes.com/article/portland-protests-explained-protesters.html>; Baker, *supra* note 17; Olmos et al., *supra* note 14.

<sup>35</sup> Conrad Wilson & Jonathan Levinson, *More Federal Officers Deploying to Portland as Protests Gain Momentum*, OPB, July 26, 2020, <https://www.opb.org/news/article/more-federal-officers-deploying-portland/>.

<sup>36</sup> *Id.*

<sup>37</sup> Governor Kate Brown (@OregonGovBrown), Twitter (July 29, 2020, 8:31 AM), <https://twitter.com/OregonGovBrown/status/1288497309848702977>.

not back down” and “will continue to maintain our current, augmented federal law enforcement personnel in Portland until we are assured that the Hatfield Federal Courthouse and other federal properties will no longer be attacked and that the seat of justice in Portland will remain secure.”<sup>38</sup> Similarly, on July 29, 2020, Mark A. Morgan, the Acting Senior Official Performing the Duties of the Commissioner for CBP, reiterated that the federal officers “are not leaving Portland” until DHS deemed that “the violent criminal activity” was over.<sup>39</sup>

49. Defendant Trump also issued similar statements refusing to disengage. For example on July 29, 2020, he tweeted that Governor Brown “isn’t doing her job” and proclaimed that “[w]e will not be leaving until there is safety!”<sup>40</sup> The next day, July 30, 2020, he went a step further, characterized the situation as an “emergency,” and publicly threatened even further escalation if local authorities do not “clean out this beehive of – of terrorists.” “If they don’t do it, we’ll be sending in the National Guard.” “We’re telling [protesters], right now, that we’re coming in very soon – the National Guard.”<sup>41</sup> Finally, on July 31, 2020, he tweeted that “Homeland Security is not leaving Portland until local police complete cleanup of Anarchists and Agitators!”<sup>42</sup>

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<sup>38</sup> Press Release, U.S. Dep’t of Homeland Sec., Acting Secretary Wolf’s Statement on Oregon Agreeing to Cooperate in Quelling Portland Violence (July 29, 2020), [https://www.dhs.gov/news/2020/07/29/acting-secretary-wolfs-statement-oregon-agreeing-cooperate-quelling-portland?fbclid=IwAR12Gsze5r4WHfv\\_ngO0BWlck3aDkG6TlZQkAx5j6lHcBfSAmQP9ms6rv6g](https://www.dhs.gov/news/2020/07/29/acting-secretary-wolfs-statement-oregon-agreeing-cooperate-quelling-portland?fbclid=IwAR12Gsze5r4WHfv_ngO0BWlck3aDkG6TlZQkAx5j6lHcBfSAmQP9ms6rv6g).

<sup>39</sup> CBP Mark Morgan (@CBPMarkMorgan), Twitter (July 29, 2020, 11:33 AM), <https://twitter.com/CBPMarkMorgan/status/1288543305769406465>.

<sup>40</sup> Donald J. Trump (@realDonaldTrump), Twitter (July 30, 2020, 6:20 AM), <https://twitter.com/realDonaldTrump/status/1288826742539464707>.

<sup>41</sup> The White House, Remarks by President Trump in Press Briefing, July 30, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-press-briefing-july-30-2020/>.

<sup>42</sup> Donald J. Trump (@realDonaldTrump), Twitter (July 31, 2020, 8:52 PM), <https://twitter.com/realDonaldTrump/status/1289408673324777472>.

50. Along these same lines, on August 4, 2020, DHS confirmed that although federal officers had not interfered with peaceful protesters during the preceding days, “[t]here has been no reduction in federal presence; federal law enforcement officers remain in Portland at augmented levels.”<sup>43</sup> “[T]he increased federal presence in Portland will remain until [DHS] is certain that federal property is safe.”<sup>44</sup> DHS characterized the situation as “dynamic and volatile” and stated that “no determination of timetables for reduction of protective forces has yet been made.”<sup>45</sup>

51. On August 7, 2020, OPB also reported that federal officials speaking off the record said that some of the forces might be drawn down, depending on how the weekend went, but an elevated force would likely remain in Portland through the November election.<sup>46</sup>

52. Meanwhile, Defendant Trump has continued to defend and reward the actions of Defendant Wolf and DHS. As recently as August 21, 2020, Defendant Trump thanked Defendant Wolf “very much,” commenting that “[y]ou’re right in the heart of it, and you’ve got some very big things coming. Very big things. Good job.”<sup>47</sup>

53. Given these statements, there is a continuing risk that Defendants’ illegal actions will recommence and an ongoing need to address them through this lawsuit.

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<sup>43</sup> Press Release, U.S. Dep’t of Homeland Sec., *MYTHS VS. FACTS: Cooperation and Receding Riot Activity in Portland, OREGON* (Aug. 4, 2020), <https://www.dhs.gov/news/2020/08/04/myths-vs-facts-cooperation-and-receding-riot-activity-portland-oregon>.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> Conrad Wilson & Jonathan Levinson, *Some Federal Forces Poised to Leave Portland, Others Could Remain Through Election*, OPB, Aug. 7, 2020, <https://www.opb.org/article/2020/08/07/federal-officers-leave-portland-election/>.

<sup>47</sup> The White House, Remarks by President Trump at the 2020 Council for National Policy Meeting, Aug. 21, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-2020-council-national-policy-meeting/>.

**D. The Deployment and Continued Presence of Federal Officers in Portland as Part of “Operation Diligent Valor” Was Not Lawfully Authorized or Executed.**

54. In addition to violating Plaintiffs’ constitutional rights, the deployment of federal officers to Portland as part of “Operation Diligent Valor” was unlawful because Defendant Wolf lacked the authority to designate DHS employees to protect the Hatfield Courthouse and because the operation was not executed in accordance with the federal statute under which Defendants claimed to be acting.

**1. Defendant Wolf Lacked the Authority to Deploy Federal Officers to Portland Because He Was Not Properly Serving as Acting Secretary of DHS.**

55. Defendant Wolf designated DHS officers to protect the Hatfield Courthouse pursuant to 40 U.S.C. § 1315, which grants the Secretary of DHS (or properly serving Acting Secretary) limited statutory authority to designate DHS employees to “protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government . . . and the persons on the property.” Defendant Wolf’s designation, however, was not lawful, valid, or effective because he was not legally serving as the Acting Secretary of DHS when he commenced “Operation Diligent Valor.” As a result, he had and still has no power under 40 U.S.C. § 1315 and there was no lawful basis for the deployment of the Rapid Deployment Force to Portland.

56. By way of background, the Secretary of DHS is normally appointed by the President with the advice and consent of the Senate. 6 U.S.C. §§ 112(a)(1), 113(a)(1)(A). In the event of a vacancy, the Homeland Security Act of 2002 provides an order of succession to fill the position pending the presidential appointment of a replacement. *Id.* § 113(g). Pursuant to this order of succession, the Deputy Secretary and Under Secretary for Management of DHS are next in line to serve in an acting capacity when there is a vacancy. *Id.* § 113(g)(1). Beyond this



mandated order, “the Secretary may designate such other officers of the Department in further order of succession to serve as Acting Secretary.” *Id.* § 113(g)(2).

57. Defendant Wolf assumed the role of Acting Secretary through a series of events following the resignation of DHS Secretary Kristjen Nielsen on April 10, 2019. At that time, the Deputy Secretary position had been vacant since April 14, 2018 and the Under Secretary for Management had resigned on April 10, 2019, meaning that Secretary Nielsen’s own list of further successors would apply. That list, which was set forth in Delegation 00106, Revision No 08.5 (Apr. 10, 2019), provided that vacancies due to the Secretary’s death, resignation, or inability to perform the functions of the position were to be filled in the following order: (1) Deputy Secretary, (2) Under Secretary for Management, (3) Administrator of Federal Emergency Management Agency, and (4) Director of the Cybersecurity and Infrastructure Security Agency.

58. Although this was the required order of succession, it was not followed. Instead, the person who purported to assume the Acting Secretary position was Keven McAleenan, who had been serving as the Commissioner of CBP. While Mr. McAleenan had been identified in Delegation 00106 as a potential successor to Secretary Nielsen in the event of a disaster or catastrophic emergency, he was not properly in line to assume her role in the event of her resignation. As a result, Mr. McAleenan’s assumption of the role of Acting Secretary was not lawful and all orders that he issued in that capacity are null and void.

59. Defendant Wolf assumed the position of Acting Secretary following Mr. McAleenan’s resignation as of November 13, 2019. Defendant Wolf took the position based on a new version of Delegation 00106, Revision No. 08.6, that Mr. McAleenan issued on November 8, 2019, to create a new order of succession. However, given that Mr. McAleenan

had not properly assumed the role of Acting Secretary in the first instance, he lacked the authority to modify Delegation 00106, rendering his modifications invalid and making Defendant Wolf’s designation as Acting Secretary pursuant to such modifications similarly invalid.

60. Defendant Wolf was also barred at the time from lawfully serving or issuing valid orders as Acting Secretary by a separate statute, the Federal Vacancies Reform Act (“FVRA”). Under the FVRA, the power of any acting official to perform the functions and duties of the office expires 210 days after the office first became vacant. 5 U.S.C. § 3346. Moreover, if 210 days pass without a Senate-confirmed officer or a nomination for the office, the FVRA requires the office to remain vacant. *Id.* § 3348(b)(1). When Mr. McAleenan issued his revision of Delegation 00106 under which Defendant Wolf assumed the Acting Secretary role, more than 210 days had passed since Secretary Nielsen resigned on April 10, 2019, and the President had not appointed a successor. As a result, even if Mr. McAleenan had properly assumed his position, he lacked the authority to modify Delegation 00106 so that Defendant Wolf could become Acting Secretary. Passage of the 210-day deadline also meant that the office had to remain open and that it could not be filled with anyone serving in an acting capacity, including Defendant Wolf.

61. The invalidity of Defendant Wolf’s claim to serve as Acting Secretary was confirmed on August 14, 2020, in an analysis by the United States Government Accountability Office (“GAO”).<sup>48</sup> The GAO concluded that, for the reasons summarized above,

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<sup>48</sup> GAO, Decision in the Matter of Department of Homeland Security—Legality of Service of Acting Secretary of Homeland Security and Service of Senior Official Performing the Duties of Deputy Secretary of Homeland Security, File No. B-331650 (Aug. 14, 2020), <https://www.gao.gov/assets/710/708830.pdf>.

Mr. McAleenan was the “incorrect” official to have assumed the title of Acting DHS Secretary following the resignation of Secretary Nielsen and that his subsequent amendments to the order of succession “were invalid.” As such, Defendant Wolf’s purported assumption of the role was “improper” and pursuant to “an invalid order of succession.”

62. Given that Defendant Wolf did not lawfully assume the role of Acting Secretary of DHS and that more than 210 days had passed since the office became vacant, he was without any authority to designate employees of DHS to protect federal property pursuant to 40 U.S.C. § 1315. His orders deploying DHS officers to Portland as part of “Operation Diligent Valor” and maintaining such officers in the city should therefore be declared unauthorized and unlawful.

**2. Even if “Operation Diligent Valor” Had Been Validly Authorized, It Has Been Conducted in a Manner Exceeding DHS’s Limited Authority Under 40 U.S.C. § 1315.**

63. Even if it had been properly authorized, “Operation Diligent Valor” has been conducted in a manner that exceeded DHS’s limited authority under 40 U.S.C. § 1315. Pursuant to 40 U.S.C. § 1315(b)(2), DHS employees properly designated to protect federal property and persons on the property have limited enumerated powers, including the powers to:

- a. “enforce Federal laws and regulations for the protection of persons and property,” 40 U.S.C. § 1315(b)(2)(A);
- b. “make arrests without a warrant for any offense against the United States committed in the presence of the officer or agent or for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony,” *id.* § 1315(b)(2)(C); and

c. “conduct investigations, on and off the property in question, of offenses that may have been committed against property owned or occupied by the Federal Government or persons on the property,” *id.* § 1315(b)(2)(E).

64. Defendants have exceeded these limited powers by (a) engaging in the warrantless arrest of multiple individuals well away from any federal property and without probable cause to believe they were committing or had committed a felony; (b) using excessive force to suppress protesters who were exercising their First Amendment rights and who were not posing any threat to federal property or persons on federal property; and (c) engaging in surveillance and intelligence gathering directed at suppressing protests rather than protecting federal property or persons on federal property.

65. Defendants’ employment of such tactics in excess of their statutory authority should be declared unlawful, and Defendants should be enjoined from engaging in the same tactics in the future.

**E. Factual Allegations Relating to Individual Plaintiffs.**

**1. Plaintiff Mark Pettibone**

66. Mr. Pettibone has attended the protests outside the Hatfield Courthouse on multiple occasions since they initially commenced in late May 2020. While attending the protests, he has repeatedly witnessed the use of excessive force by federal officers, including the use of impact munitions, pushing and shoving, and the indiscriminate use of tear gas on individuals protesting in a peaceful and lawful manner. In the early morning hours of July 15, 2020, after having attended the protests and non-violently protesting in support of Black Lives Matter, he was personally subjected to such unlawful tactics when he was snatched off the street

by unidentified federal officers, who arrested him and detained him in jail for hours without ever informing him of the reasons for their actions, much less charging him with an offense.

67. The incident began when Mr. Pettibone and a friend were walking home from the protests a block west of Chapman Square on Main Street. They were approached by a group of people who warned them that unidentified men in camouflage were driving around the area in unmarked minivans and grabbing people off the street. Almost immediately thereafter, an unmarked dark-colored minivan stopped in front of Mr. Pettibone and four to five men in camouflaged military garb jumped out of the van and sought to detain him.

68. Mr. Pettibone could not see any specific agency badges or identification on the clothing worn by the men, particularly given the darkness at the time, and they did not identify themselves as law enforcement officers. Uncertain about who the men were and afraid of what they might do, Mr. Pettibone ran west on Main Street and then turned south on Broadway with one of the camouflaged men chasing him. As he ran down Broadway, the same or a similar unmarked van pulled up and stopped in front of him and several men wearing the same clothing jumped out in front of him.

69. Mr. Pettibone still did not know who the men were but felt that he was not free to leave. He sank to his knees and asked “Why?” several times. The men did not respond and offered no explanation for their actions. Instead, they firmly led him into the unmarked van, where he was put on the floor. One of the men restrained Mr. Pettibone’s hands above his head and put pressure on his head and neck to force his head down. The men then pulled his hat down over his eyes to temporarily blind him, determined that he had no weapons, and drove him into the garage of a building that he later learned was the Hatfield Courthouse.

70. Once Mr. Pettibone was inside the Hatfield Courthouse, a second group of unidentified men wearing fatigue pants and tee shirts photographed him, searched the contents of his backpack without asking consent, cuffed his hands and ankles, and placed him in a cell. While Mr. Pettibone was in the cell, two officers approached him, represented that they were recording their interaction with him, and read Mr. Pettibone his *Miranda* rights. The officers asked Mr. Pettibone to waive his *Miranda* rights. Mr. Pettibone refused to answer questions and requested a lawyer. No lawyer was provided. Instead, the officers left, saying, “This interview is terminated.”

71. At the time of his arrest, Mr. Pettibone had not committed and was not committing any federal offense and he was blocks away from the Hatfield Courthouse. In addition, the federal officers who detained him did not have either probable cause or a warrant for his arrest. After being held in the jail cell for more than an hour, Mr. Pettibone was released without being given any paperwork indicating that he had even been arrested, much less charged with any crime. He was given his belongings back in a garbage bag, but a respirator that was in his backpack had been damaged, and it was unclear whether his cell phone had been accessed.

72. Not surprisingly, the experience of being snatched off the street and put in an unmarked van by unidentified men in military-style uniforms who did not explain their actions, searched his possessions without consent, and held him in jail with no explanation has injured Mr. Pettibone and caused him significant emotional distress and anxiety. Even after his arrest, Mr. Pettibone has continued to experience anxiety about the potential of being arrested or stopped again for exercising his lawful right to peacefully protest.

73. On information and belief, some or all of the federal officers who arrested Mr. Pettibone were DHS employees, and the federal officers who photographed him, searched his possessions, and imprisoned him were USMS employees.

74. On information and belief, Mr. Pettibone was arrested and detained because of his participation in the protests at the Hatfield Courthouse, which was nonviolent in nature.

75. Defendants have made multiple warrantless arrests of individuals in Portland who had not committed and were not committing any federal offenses, including arrests of individuals who were not in the immediate vicinity of the Hatfield Courthouse. On information and belief, these arrests, including Mr. Pettibone's arrest, were part of officially sanctioned behavior and reflected a policy, practice, or custom that was directed or sanctioned by high-ranking officials, including Defendants Wolf and Russell in support of Defendant Trump's policy of targeting protesters supporting Black Lives Matter and opposing police violence on Black Americans as violent left-wing extremists or anarchists undermining white nationalist values.

### **3. Plaintiff Mac Smiff.**

76. Mr. Smiff has attended the protests outside the Hatfield Courthouse on numerous occasions since they initially commenced in late May 2020 and has repeatedly witnessed the use of excessive force by federal officers, including the use of impact munitions, pushing and shoving, and the indiscriminate use of tear gas on individuals protesting in a peaceful and lawful manner. In the early morning hours of July 25, 2020, he was personally subjected to such unlawful actions when an unidentified federal officer shot him in the head with an impact munition while he was lawfully attending the protests.

77. At the time he was shot, Mr. Smiff was standing in Lownsdale Square, which is separated from the Hatfield Courthouse by SW Third Avenue. Mr. Smiff was wearing a helmet

which had a sign on it indicating that he was a member of the press. Federal officials were clearing nonviolent protesters in SW Third Avenue immediately in front of the Hatfield Courthouse, some 15 to 20 yards away from where Mr. Smiff was standing. Mr. Smiff was approximately 10 feet away from any other protesters. When Mr. Smiff looked down at his phone to send a tweet, he was shot in the right side of his face with an indelible hard-cap paintball, just below the line of his helmet and just above a face mask he was wearing.

78. The impact of the shot and resulting shock caused Mr. Smiff to fall to the ground. He got up and retreated as well as he could towards SW Fourth Avenue where there was an ambulance and volunteers providing medical care. Mr. Smiff was partly blinded by the paint in his face and had a large contusion on his head, which restricted his mobility. He received treatment from the volunteer medics, who told him that he may have suffered a concussion.

79. As a result of being shot by the federal officers, Mr. Smiff suffered physical pain as well as anxiety that his concussion could leave him vulnerable to more serious adverse health consequences if he were injured again. This trauma affected Mr. Smiff's ability to work in the days following his injuries and the potential of repeated injury left him fearful of exercising his lawful right to peacefully protest during his recovery.

#### **4. Plaintiff Andre Miller.**

80. Mr. Miller attended the protests outside the Hatfield Courthouse on numerous occasions since they initially commenced in late May 2020. Mr. Miller has been involved in documenting the protests and providing volunteer crowd-safety and medic services at the protests. While at the protests, he has repeatedly witnessed the use of excessive force by federal officers, including spraying peaceful protesters in the face with chemical irritants, hitting



protesters with batons and firing cannisters of tear gas indiscriminately into crowds of individuals protesting in a peaceful and lawful manner.

81. On July 22, 2020, he was personally subjected to such unlawful actions when an unidentified federal officer shot him in the head with a tear gas cannister, causing a gash in his head that required seven stitches and a concussion that continues to have lingering effects. At the time he was injured, Mr. Miller was standing in a crowd of individuals on Main Street, between SW Fourth and Fifth Avenues. The crowd was peacefully protesting when federal officers began marching up Main Street while firing tear gas cannisters and impact munitions into the crowd without any advance warning or instructions.

82. The crowd began to fall back in response to the tear gas and shooting. Mr. Miller turned and began to move back as well. As he retreated west on Main Street, he looked to his right and left and was then hit on the forehead. He exclaimed, "I got hit! I got hit!" to his fiancée who was standing next to him. She said she had been hit as well, apparently with the cannister that ricocheted off of Mr. Miller. Mr. Miller looked down at his phone and saw that blood was streaming from his head. His eye closest to the wound then filled with blood and he could not see. He was deeply frightened by the volume of blood as he remembered the wound suffered at the protests by Donovan LaBella and he was unsure how badly he had been wounded.

83. Mr. Miller's fiancée applied pressure to his forehead to stanch the bleeding. She then led him in the same direction with the crowd, moving west on Main Street towards SW Fifth Avenue. Mr. Miller and his fiancée then turned north on SW Fifth Avenue, at which point Mr. Miller could not walk further. He sat down and his fiancée continued to apply pressure to the wound on his head and called for an ambulance. They then walked to try to locate the emergency vehicle, but Mr. Miller passed out momentarily and was unable to continue walking.

He was then helped into a safe vehicle where he laid down and then vomited twice. Eventually, he was transported to the hospital where he received treatment, including the removal of metal fragments from his wound, seven stitches, and a CAT scan.

84. As a result of his injury, Mr. Miller has suffered significant pain, emotional trauma, memory loss and confusion, and irritability. He has been unable to work and the potential of further injury has left him fearful of exercising his lawful right to peacefully protest during his recovery.

**5. Plaintiff Nichol Denison.**

85. Ms. Denison attended the protests at the Hatfield Courthouse on several occasions in June and July 2020. She witnessed the use of excessive force by federal officers, including the use of impact munitions, pushing and shoving, and the indiscriminate use of tear gas on individuals protesting in a peaceful and lawful manner.

86. On July 24, 2020, she was personally subjected to such unlawful tactics when she had a tear gas cannister hurled into her head, causing a three-inch gash to her forehead that ultimately required 11 stitches. Ms. Denison had come to the protests that evening as a member of the Wall of Moms, an unincorporated association with a mission to support Black Lives Matter, and to protect protesters supporting Black Lives Matter from being subject to excessive use of force by the federal government. She wore a bright yellow short-sleeved tee shirt over a long-sleeved shirt, a respirator, and a bright yellow plastic hard hat with “BLM” written on it in black marker.

87. Shortly before she was hit by the tear gas cannister, Ms. Denison was standing with the Wall of Moms outside the fence surrounding the Hatfield Courthouse. People in her vicinity were chanting and yelling, and some were banging on the fence, but there were no

lasers, no fireworks, and no items being thrown at the Hatfield Courthouse anywhere near where she was standing. Ms. Denison herself did not engage in any violence or destruction of property. She merely stood in a line of women with arms linked, facing the fence, which was approximately eight feet in front of them.

88. As she and others were chanting, Ms. Denison saw federal officers emerge from the Hatfield Courthouse. They made no announcement or order to disperse. Instead, they simply began launching cannisters of tear gas at the peaceful protesters without warning. Some of the protesters who had leaf blowers tried to blow the gas back towards the federal agents.

89. While this was occurring, approximately five additional federal officers dressed in black with the label "DHS" on their chests came out from the Hatfield Courthouse and rushed up to the fence line. They had their weapons drawn and pointing directly at the women who were standing in the line with Ms. Denison. Without any warning, the officers then began firing at Ms. Denison and the other women through gaps in the fence. The weapons appeared to be shooting pepper balls or bullets the size of paint balls. The officers were close enough that Ms. Denison could see them looking for people to shoot, including her.

90. Ms. Denison was hit repeatedly and was then struck far more forcefully in the head by a tear gas cannister that was, on information and belief, thrown or shot from a position well above her in the Hatfield Courthouse. Although she was wearing a yellow hard hat, the blow stunned her. She tried to back away through the crowd, but the blow to her head made it difficult to move. As she removed her mask to check her injury, she was exposed to additional tear gas, burning her face and eyes. As she touched her head, she realized she was bleeding profusely. Meanwhile, federal officers were discharging more gas cannisters at the protesters.

91. Ms. Denison then worked her way as best she could to a medic van where volunteers were offering treatment to injured protesters. When she removed her hard hat and respirator to receive treatment, she found that she had a three-inch v-shaped gash that was gushing blood and was exposed to a significant amount of tear gas. The wound was too severe to be treated on site, and Ms. Denison was taken to the VA hospital by some friends, where she received 11 stitches before being taken home. A photo showing the wound on Ms. Denison's head taken at the hospital is below:



92. Once she was at home, Ms. Denison developed a black eye and major swelling from the injury. Although she was exhausted by the incident, she was unable to sleep and suffered extreme anxiety, reliving the event in her mind and finding herself unable to stop crying.

93. As a result of her injury, Ms. Denison has suffered pain and ongoing anxiety and irritability consistent with having received a concussion. She has also incurred medical

expenses, and suffered limitations on her ability to perform her daily tasks during her recovery and fear of repeated injury for exercising her lawful right to peacefully protest.

**6. Plaintiff Maureen Healy.**

94. Ms. Healy has attended protests supporting Black Lives Matter and opposing police violence against Black Americans at multiple locations in Portland, including the Hatfield Courthouse.

95. On July 20, 2020, Ms. Healy was among a large group of protesters in Lownsdale Square in front of the Hatfield Courthouse who were peacefully protesting and chanting. Just after midnight, she saw a small number of protesters trying to remove plywood from around the Hatfield Courthouse.

96. Without warning, federal officers then appeared and began firing flash-bangs, impact munitions, and tear gas cannisters into the crowd. The federal officers were approaching the Hatfield Courthouse and the crowd from the south, either from the Justice Center or the Federal Building. The crowd began to fall back, and Ms. Healy heard other protesters telling people to walk and not run to avoid trampling each other. Many people, however, including Ms. Healy, began to turn and run. Just as she did so, Ms. Healy was hit in the head with a projectile that felt metallic and the size of a small can. Although she was wearing a bike helmet at the time, the impact cut her face and gave her a black eye and concussion as shown below:



97. Ms. Healy realized she had been hit and was bleeding profusely. After calling out for help, Ms. Healy was helped to some volunteer medics who sought to treat her injuries. But federal officers continued to fire tear gas into the area, forcing them all to move farther away to a van where Ms. Healy was bandaged. She was then driven to a location where her husband was able to pick her up and take her to the hospital for additional treatment.

98. The actions of the federal officers caused Ms. Healy to suffer pain, fear, and anxiety. Ms. Healy has been forced to take time off from work owing to her concussion and outsource work to colleagues. She has had multiple medical appointments and still does not know what substance is trapped under her skin as a result of being struck by the metallic can. Although she would have liked to continue attending protests while the federal officers were deployed in and around the Hatfield Courthouse, she was afraid for her safety and did not do so.

In other words, she has suffered a fear of repeated injury for exercising her lawful right to peacefully protest.

**7. Plaintiff Christopher David.**

99. On July 18, 2020, Mr. David attended the protests at the Hatfield Courthouse for the first time. He decided to attend after seeing news and online video footage of protesters being attacked by federal officers, as well as the online video of an unknown person being abducted in an unmarked van by officers without any readily apparent identifying insignia. He wanted to support the voices of the protesters in support of Black Lives Matter and against police violence.

100. Mr. David arrived downtown at around 8:15 p.m. on July 18, 2020. Mr. David was wearing a sweatshirt that said “NAVY” on the front. He was also wearing a disposable surgical cloth facemask, but he was not wearing a respirator, helmet, or any other protective clothing.

101. At around 10:45 p.m., as he was about to leave the protest, Mr. David saw federal officers emerging from the Hatfield Courthouse. He saw them launch tear gas cannisters and rush a line of protesters standing in the intersection, knocking several to the ground.

102. Mr. David was standing in Lownsdale Square at the time. He was shocked by the federal officers’ actions and walked into SW Third Avenue to talk to the officers, as shown below:





103. Mr. David then attempted to ask the officers what they were doing and why they were not honoring their oath to support the Constitution. The officers did not verbally respond or instruct Mr. David to move, but one of the officers trained his firearm on Mr. David's chest and then lowered it, after which another officer plowed into Mr. David to knock him back.

104. Mr. David stumbled backwards in the street to recover his balance. Two federal officers then approached Mr. David, one after the other, and struck him with their batons while one of them deployed a canister of chemical irritant spray directly into Mr. David's face. Mr. David was able to knock the cannister away in self-defense only to have another officer approach and spray him in the face again.

105. In addition to being sprayed twice in the face, Mr. David believes that he was struck with a baton at least five times, including a blow to his right hand. Mr. David tried to

move away, but the officers kept hitting him and spraying him with irritant. An officer struck him across the back with a baton after he had completely turned around and begun walking away.

106. Mr. David was unable to see or move freely as a result of the chemicals deployed directly in his eyes and face. He moved away gingerly, walking through a cloud of tear gas, and sat down on a park bench, where a volunteer street medic helped him with his injuries before locating an ambulance for him.

107. The ambulance took Mr. David to Portland's VA hospital, where he learned that his right hand had been broken in two places as a result of the baton beating from the federal officers. His ring finger required surgery.

108. At the time of the incident, Mr. David did not know which federal agency employed the officers who beat and gassed him. Subsequently, however, Kenneth Cuccinelli (purportedly Acting Deputy Secretary of the DHS) indicated that officers involved in beating Mr. David were USMS officers.<sup>49</sup>

109. Mr. David would like to return to the protests but has not done so because of the beating that he received and the concerns of his family members that he will be further injured if he returns. "[S]ometimes I have to listen to better advice from other people," he was forced to

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<sup>49</sup> Deborah Bloom, *Navy Veteran Says He Was Beaten 'Like a Punching Bag' in Portland*, Reuters, July 20, 2020, <https://www.reuters.com/article/us-global-race-protests-portland-veteran/navy-veteran-says-he-was-beaten-like-a-punching-bag-in-portland-idUSKCN24L2CP>; Video, *Navy Vet Says Authorities Beat Him at Portland Protest*, CNN (July 21, 2020), <https://www.cnn.com/videos/us/2020/07/21/portland-protest-chris-david-navy-vet-ken-cuccinelli-response-sot-vpx.cnn>.

conclude. “I am 53 and am not indestructible.”<sup>50</sup> In other words, he is fearful of repeated injury for exercising his lawful right to peacefully protest.

**8. Plaintiff Duston Obermeyer.**

110. Like Mr. David, Mr. Obermeyer attended the protests outside the Hatfield Courthouse for the first time on July 18, 2020. He was motivated by press reports that federal officers were using excessive force to suppress the protests. He believed the protesters should be free to express their views in favor of Black Lives Matter and against systemic racism—views he supported himself. Mr. Obermeyer was dressed in ordinary clothes with a cotton mask on his face. He was not wearing any protective gear.

111. When Mr. Obermeyer arrived at the protests, he witnessed a large number of people talking and chanting emotionally about Black Lives Matter, police reform, and more general government reform. The protests were generally very peaceful and Mr. Obermeyer did not observe protesters engaged in any actions that would appear to justify a harsh response from law enforcement.

112. At close to 11:00 p.m., as Mr. Obermeyer was standing in Lownsdale Square facing the Hatfield Courthouse, he noticed a commotion on the right side of the front of the building. He then saw a phalanx of federal officers begin marching north towards a group of protesters who were chanting in the middle of SW Third Avenue. Mr. Obermeyer did not see any identification on the officers’ fatigues, but he did note that they were heavily armed, with batons and automatic weapons.

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<sup>50</sup> Danielle Zoellner, *‘They Just Started Whaling on Me’: Veteran Speaks Out After Video of Federal Officers Beating Him at Portland Protests Goes Viral*, The Independent, July 20, 2020, <https://www.independent.co.uk/news/world/americas/portland-protests-trump-veteran-christopher-david-federal-officers-oregon-a9627466.html>.

113. Mr. Obermeyer then saw the officers shoot tear gas into the crowd without any advance warning and push a woman to the ground. The woman was thrown to the ground with such force that she slid across the pavement. Mr. Obermeyer saw no provocation for this use of force by the federal officers.

114. Mr. Obermeyer was shocked by what he saw and approached the federal officers in front of the Hatfield Courthouse. While he was standing in SW Third Avenue with his hands up in a gesture showing that he meant no harm, Mr. Obermeyer heard a man to his left—whom he did not know, but whom he later learned to be Mr. David—ask the officers if they understood their oath of office. They did not respond. Mr. Obermeyer then repeated Mr. David’s question, and asked the federal officers whether they understood what an illegal order was.

115. The federal officers did not respond verbally to the questions that either Mr. David or he had posed, but one of them came up to Mr. David and struck him with a baton. The same officer then tried to strike Mr. Obermeyer. Other officers then approached and one pointed an automatic weapon in Mr. Obermeyer’s face while another shot him at point-blank range with an orange chemical irritant. One of the officers also struck Mr. Obermeyer in the face and chest with a baton. A photograph of Mr. Obermeyer being sprayed in the face is set forth below:



116. Mr. Obermeyer's eyes and nose burned terribly from the chemical and immediately closed up. The burning spread to every part of his body touched by the chemical. He was blinded, had difficulty breathing, and required the assistance of other protesters to guide him away and flush out his eyes. While medics attended to him, he listened to the sounds of gunfire, artillery simulation rounds, CS gas canisters being deployed, and protesters screaming. To Mr. Obermeyer, a veteran of the wars in Iraq and Afghanistan, it sounded like a combat zone.

117. The injuries Mr. Obermeyer suffered initially left him unable to walk. After some time, he was able to make it a block or so away from the scene where he continued to use eye-wash solution and water to flush his eyes and head. After still more time, he was able to walk to his car, but he still did not feel that he could drive and he called his wife who came and picked him up. When he got home, Mr. Obermeyer took multiple showers but was unable to completely rinse off the chemical that the officers had sprayed on him, which continued to burn his skin and eyes, as well as the inside of his chest.

118. Mr. Obermeyer's injuries persisted, and it was three days before he felt well enough to resume his normal activities or to return to the protests, which he has only been able to do on a limited basis. Even in subsequent days, he has continued to have breathing problems and felt pain in his chest and lungs. He, too, has suffered a fear of repeated injury if he exercises his lawful right to peacefully protest.

**9. Plaintiff James McNulty.**

119. Mr. McNulty attended the protests outside the Hatfield Courthouse on July 21, 2020. He went because he believed that the federal officers were preventing demonstrators from expressing their legitimate grievances about systemic racism. He wanted to be another voice to stand up and say that what was happening is unacceptable.

120. Mr. McNulty arrived at the protests shortly after 9:00 p.m. He saw no vandalism, no fires, and nothing being thrown. The protests were peaceful.

121. At approximately 11:15 p.m., Mr. McNulty was standing with other protesters on SW Third Avenue near the intersection with Madison Street when he heard flash-bang grenades. When he looked towards the Hatfield Courthouse, he saw federal officers wearing camouflage uniforms marching up Main Street towards the intersection with SW Third Avenue, launching tear gas cannisters and smoke grenades. The officers came without any warning, and Mr. McNulty did not hear them issue any orders of any kind. The group of protesters standing next to him began to retreat, and Mr. McNulty followed them as the federal officers advanced up Main Street.

122. A flash-bang grenade then went off at Mr. McNulty's feet, and the area began to fill with tear gas, which was blowing towards Mr. McNulty. To escape from the tear gas, Mr. McNulty moved through the intersection of Main Street and SW Third Avenue, crossing in front of the federal officers. As he crossed the intersection, his eyes and face began to burn. The federal officers then shot Mr. McNulty four times: three times with rubber bullets and one time with a pepper ball. He was given no warning and was not disobeying any orders or engaging in any violence before he was shot.

123. Mr. McNulty was bleeding, in considerable pain, and unable to move easily. He sought out volunteer medics who could assist him. The medics provided Mr. McNulty with short-term treatment and sent him to a hospital emergency room. At the emergency room, Mr. McNulty learned that one of the munitions that struck him in the back had not only gone through his clothes, but pieced his skin, fat layer, and at least one layer of muscle. The wound was severe enough that Mr. McNulty had to have a CT scan to confirm that it had not punctured his

peritoneal cavity. A photograph showing two of his wounds taken at the emergency room where he received treatment is set forth below (with personal identifying information redacted):



124. Mr. McNulty's injuries caused him considerable pain, suffering, and emotional trauma, as well as medical expenses, and an inability to conduct his daily activities in a normal

manner during the period of his recovery. In addition, they have made him fearful of repeated injury for exercising his lawful right to peacefully protest.

**10. Plaintiff Black Millennial Movement.**

125. On June 5, 2020, a group of younger Black citizens in the Portland area gathered together to create the Black Millennial Movement. These individuals came together in response to the killings of George Floyd and so many other Black citizens at the hands of the police. With national attention finally being focused on racial justice, these individuals sought to uplift the concerns shared by many Black Millennials, including student debt, economic opportunity, housing and home ownership, and political representation.

126. The group was organized by Cameron Whitten, a 29-year old Oregonian, who created a Facebook group and invited several other young Black leaders in the Portland community to join him, including Gregory McKelvey, Shanice Clarke, and Candace Avalos. The Black Millennial Movement originated in that Facebook group.

127. Traditionally, the press has focused on only one segment of Black leadership; the Black Millennial Movement seeks to provide an alternate voice and educate others about the disproportionate use of force used by law enforcement towards largely nonviolent protesters—a perspective that has not traditionally received media attention.

128. Portland-area media, such as television station KATU, have looked to members of the Black Millennial Movement to understand the opinions on the Portland protests held by younger Black leaders in Portland, including how the public pressure caused by the protests is forcing local leaders to be more responsive than they have been previously.<sup>51</sup>

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<sup>51</sup> Lincoln Graves, *Black Millennial Movement seeks to offer different perspective among Black leaders*, KATU, July 30, 2020, <https://katu.com/news/local/black-millennial-movement-seeks-to-offer-different-perspective-among-black-leaders>.



129. Members of the Black Millennial Movement were regular participants in the nonviolent protests outside of the Hatfield Courthouse. While attending those protests, members of the Black Millennial Movement have been repeatedly tear-gassed when federal officers deploy tear gas in an effort to disperse the largely peaceful crowds. Members of the Black Millennial Movement have suffered injuries from the tear gas used by the federal officers, including vomiting, debilitating pain, and irritation to their eyes, skin, and respiratory systems lasting nearly a week after the respective protest in which they were inflicted.

130. Being subjected to tear-gassing by federal officials further adversely affected Black Millennial Movement's ability to engage in free speech and to raise its concerns about the racial violence and injustice faced by the Black community. After experiencing the harm caused by the tear gas deployed by federal officers and seeing video footage of disproportionate violence deployed against nonviolent protesters on a nightly basis, members of the Black Millennial Movement have been fearful of exercising their lawful right to peacefully protest at the Hatfield Courthouse.

**11. Plaintiff Rose City Justice, Inc.**

131. Rose City Justice, Inc. ("Rose City Justice") is a Black-led, BIPOC supported, grassroots organization committed to unifying local activism efforts in response to historical racial inequities by the justice system. While Rose City Justice initially operated as an informal group following the murder of George Floyd, it incorporated as an Oregon nonprofit corporation in June 2020. Rose City Justice has organized peaceful protests in various neighborhoods in Portland, including ones in front of the Multnomah County Justice Center and adjacent to the Hatfield Courthouse, and participated in the Black Lives Matter protests outside the Hatfield Courthouse.

132. After the presence of federal officers and their use of excessive force against protesters increased in early July, Rose City Justice focused its efforts on providing support and safety equipment to protesters outside the Hatfield Courthouse, including helmets, goggles, and masks. Its members assisted protesters who were injured by the use of tear gas, rubber bullets, and concussion grenades by federal officers against peaceful protesters and were injured themselves by the officers' tactics. Several members of Rose City Justice have bruises from being shot with rubber bullets and experienced the adverse effects of tear gas.

133. Being subjected to federal officers' excessive use of force against protesters caused Rose City Justice to utilize its resources to support the peaceful protesters and deterred their ability to organize and engage in other protest activities. The federal officers' presence in Portland also inhibited its ability to advocate for ending racial inequities, especially as it related to its efforts to divert funds from the Portland Police Bureau to other community activities

### **FIRST CLAIM FOR RELIEF**

#### **(Violation of Fourth Amendment Right Against Unlawful Search and Seizure – *Bivens* Claim)**

#### **(Plaintiffs (Excluding Black Millennial Movement and Rose City Justice) Against Defendants Wolf, Russell, and Does in Their Individual Capacities)**

134. Plaintiffs hereby reallege and incorporate by reference the allegations in paragraphs 1 through 133 as though fully set forth herein.

135. Plaintiffs bring this claim against Defendants Wolf, Russell, and Does in their individual capacities.

136. The actions of Defendants Does—including (1) the use of unjustifiable and excessive physical force against Plaintiffs Smiff, Miller, Denison, Healy, David, Obermeyer, and McNulty in an effort to move them from public spaces in which they gathered to express their

political opinion and/or in retaliation against Plaintiffs for their viewpoints, (2) the seizure of Mr. Pettibone without probable cause or a judicially authorized warrant, or, alternatively, (3) the extraordinary manner of Mr. Pettibone's seizure (an abduction off a public street in the early hours of the morning without stated justification by unidentified individuals who emerged from an unmarked van, whose clothing did not identify their name or agency or government, who did not identify themselves, and who Congress had not authorized to make warrantless arrests in the first place)—and the actions of Defendants Wolf and Russell in ordering or approving such actions deprived Plaintiffs of their rights to be free from unlawful searches and seizures secured to them under the Fourth Amendment to the United States Constitution.

137. Defendants Wolf, Russell, and Does acted in clear violation of well-settled law with regard to standards for seizure of which a reasonable law enforcement officer in Defendants' positions should have been aware. They are not entitled to qualified or official immunity.

138. The actions of Defendants Wolf, Russell, and Does were intentional, malicious, and reckless and showed a callous disregard for, or indifference to, the federally protected civil rights of Plaintiffs.

139. Defendants Wolf, Russell, and Does are jointly and severally liable to Plaintiffs pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). Plaintiffs have no adequate alternative remedy.

140. As a direct and proximate result of the unlawful actions of these Defendants, Plaintiffs are entitled to recover damages from Defendants Wolf, Russell, and Does, and each of them.

## **SECOND CLAIM FOR RELIEF**

**(Violation of First Amendment (Violation of Freedom of Speech and Assembly))**

**(Plaintiffs Black Millennial Movement and Rose City Justice Against Individual Defendants Wolf and Russell and Does in Their Official Capacities)**

141. Plaintiffs Black Millennial Movement and Rose City Justice hereby reallege and incorporate by reference the allegations in paragraphs 1 through 140 as though fully set forth herein.

142. The actions of Defendants Wolf and Russell in ordering and/or approving the indiscriminate use of excessive force against Plaintiffs Black Millennial Movement and Rose City Justice and their members as set forth above—violated and threatens to continue to violate the First Amendment rights of freedom of speech and assembly of Plaintiffs Black Millennial Movement and Rose City Justice and their members.

143. Defendants Wolf and Russell's actions were based on the viewpoint being expressed by Plaintiffs Black Millennial Movement's and Rose City Justice's members. But for their nonviolent participation in the protests at the Hatfield Courthouse in support of Black Lives Matter and against police violence towards Black Americans. Defendants would not have ordered the indiscriminate deployment of tear gas and other chemical agents, flash-bangs, and less-lethal impact munitions and caused injury to Black Millennial Movement's and Rose City Justice's members.

144. Defendants' actions of ordering and/or approving violence and/or deployment of tear gas and other chemical agents, flash-bangs, and impact munitions against protesters, including members of Plaintiffs Black Millennial Movement and Rose City Justice, in retaliation against Plaintiffs Black Millennial Movement's and Rose City Justices' members' expression of their viewpoints and exercise of their First Amendment rights. Based on Defendants' past actions and the continued presence of federal law enforcement officials deployed as part of

“Operation Diligent Valor,” Defendants are reasonably likely to take similar actions in the future.

145. By depriving Plaintiffs Black Millennial Movement and Rose City Justice of the opportunity to express their views and retaliating against them and their members on the basis of their views, Defendants have violated Plaintiff Black Millennial Movement’s and Rose City Justices’ First Amendment rights and are imposing ongoing irreparable harm upon Plaintiffs. Plaintiff Black Millennial Movements’ effectiveness as an organization will be irreparably harmed by its inability to generate participation at protest events because potential participants will have been deterred from participation by the threat of unjustified use of violence and/or tear gas. Rose City Justice’s ability to advocate for racial justice and to advance its mission was irreparably harmed by forcing it to divert resources to protect its members and supporters at protests in front of the Hatfield Courthouse and preventing it from engaging in free speech and assembly, in responses to Defendants’ practices.

146. The Court has inherent equitable power to enjoin violations of federal law by federal officials. *See Armstrong v. Exceptional Child Ctr., Inc.*, 575 U.S. 320 (2015).

**THIRD CLAIM FOR RELIEF**

**(Unlawful Agency Action Exceeding Statutory Authority Under  
40 U.S.C. § 1315 – 5 U.S.C. §§ 702, 706)**

**(Plaintiff Pettibone Against Defendants Wolf and Russell in Their Official Capacities, and  
DHS and USMS)**

147. Mr. Pettibone hereby realleges and incorporates by reference the allegations in paragraphs 1 through 146 as if fully set forth herein.

148. The arrest of Mr. Pettibone was pursuant to a policy adopted by Defendants DHS, USMS, Wolf and Russell.

149. The policy pursuant to which Mr. Pettibone was arrested is an agency action, within the meaning of 5 U.S.C. § 551.

150. The policy pursuant to which Mr. Pettibone was arrested is a final action, ripe for judicial review, within the meaning of 5 U.S.C. § 704.

151. Federal government officials have issued statements approving of the policy leading to the arrest of Mr. Pettibone.

152. Defendants DHS, USMS Wolf, Russell, and Defendant Does, acting pursuant to the policy they had put in place, had no statutory authority to arrest Mr. Pettibone without a warrant, as set forth below.

a. There has been no valid designation of Defendants Does for duty in Portland in connection with the protection of property owned or occupied by the federal government or persons on such property pursuant to 40 U.S.C. § 1315(b)(1) because Defendant Wolf lacked the authority to make that designation and his purported designation has no force or effect.

b. The arrest of Mr. Pettibone by Defendants Does occurred blocks away from the Hatfield Courthouse and beyond the geographic limit of “areas outside the property” within the meaning of 40 U.S.C. § 1315(b)(1).

c. Defendants Does patrol of the area where they arrested Mr. Pettibone, blocks away from the Hatfield Courthouse, was beyond “the extent necessary to protect” the property or persons on the property within the meaning of 40 U.S.C. § 1315(b)(1).

d. Employees of DHS, including Defendants Does, do not possess any power under 40 U.S.C. § 1315(b)(2) to make warrantless arrests, let alone warrantless arrests without probable cause that a crime has been committed, while off the federal property.

e. Mr. Pettibone did not commit a federal offense in the presence of Defendants Does.

f. Defendants Does did not have “reasonable grounds,” within the meaning of 40 U.S.C. § 1315(b)(2)(C), to believe that Mr. Pettibone had committed or was committing a felony under the laws of the United States.

g. Even assuming Defendants Does had “reasonable grounds” within the meaning of 40 U.S.C. § 1315(b)(2)(C), to believe that Mr. Pettibone had committed or was committing a felony under the laws of the United States, such “reasonable grounds” do not constitute probable cause sufficient to justify an arrest.

153. The policy that led to the arrest of Mr. Pettibone was an agency action (a) not in accordance with law, (b) contrary to constitutional right, power, privilege, or immunity, (c) in excess of statutory authority, and/or (d) without observance of procedure required by law.

154. The Court should hold the policy that led to the arrest of Mr. Pettibone to be unlawful.

155. As a direct and proximate cause of his arrest, Mr. Pettibone has suffered legal wrong and/or was aggrieved and is realistically threatened by a repetition of Defendants’ unlawful acts.

#### **FOURTH CLAIM FOR RELIEF**

**(Unlawful Agency Action by Deployment of Force Against Protesters Exceeding Authority Under 40 U.S.C. § 1315 – 5 U.S.C. §§ 702, 706)**

**(Plaintiffs (Excluding Black Millennial Movement and Rose City Justice) Against Defendants Wolf and Russell in Their Official Capacities, and DHS and USMS)**

156. Plaintiffs hereby reallege and incorporate by reference the allegations in paragraphs 1 through 155 as though fully set forth herein.

157. As alleged herein, Defendants Wolf, Russell, DHS and USMS orderd, supervised and implemented the deployment of excessive physical force—including use of pepper spray, impact munitions, batons, chemical agents, and/or physical “charges” by law enforcement officers against Plaintiffs—to forcibly remove them from public spaces in which they gathered with others to lawfully express their political opinions, or in retaliation against Plaintiffs and other protesters for their viewpoints, purportedly pursuant to their statutory authority under 40 U.S.C. § 1315.

158. The policy of deploying excessive physical force against Plaintiffs was an agency action, within the meaning of 5 U.S.C. § 551.

159. The policy of deploying excessive physical force against Plaintiffs was a final action, ripe for judicial review, within the meaning of 5 U.S.C. § 704.

160. Defendants Wolf, Russell, Does, DHS, and USMS had no statutory authority to deploy excessive physical force against Plaintiffs, as set forth below:

a. There has been no valid designation by Defendant Wolf of Defendants Does for duty in Portland in connection with the protection of property owned or occupied by the federal government or persons on such property pursuant to 40 U.S.C. § 1315(b)(1), because Defendant Wolf lacked the authority to make that designation and his purported designation has no force or effect.

b. Defendants Does deployed force against Plaintiffs while off federal government property in a manner that was not “necessary to protect the property and persons on the property,” 40 U.S.C. § 1315(b)(1), often forcing protesters to move blocks away from the Hatfield Courthouse..



c. Defendants Does deployed force to arrest Mr. Pettibone and others without the authority or grounds to make any such arrest.

161. The policy of deploying excessive force against Plaintiffs was an agency action (a) not in accordance with law, (b) contrary to constitutional right, power, privilege, or immunity, (c) in excess of statutory authority, and/or (d) without observance of procedure required by law.

162. The Court should hold the policy of deploying of excessive force against Plaintiffs unlawful.

163. As a direct and proximate cause of deployment of force against Plaintiffs, Plaintiffs have suffered legal wrong and/or are aggrieved and are realistically threatened by a repetition of the unlawful acts of Defendants Wolf, Russell, Does, and DHS.

#### **FIFTH CLAIM FOR RELIEF**

**(Violation of Fourth Amendment (Right to be Free from Unreasonable Search and Seizures))**

**(Plaintiff Mark Pettibone Against Defendants Wolf and Russell in Their Official Capacities, and DHS and USMS)**

164. Mr. Pettibone hereby realleges and incorporates by reference the allegations in paragraphs 1 through 163 as if fully set forth herein.

165. The actions of Defendants in (a) ordering and/or approving the arrest of Mr. Pettibone and (b) the search of his belonging while in federal custody, both of which were done without probable cause or pursuant to any applicable exception under the Fourth Amendment of the United States Constitution, violated Mr. Pettibone's rights to be free from unlawful searches and seizures.

166. This Court has inherent equitable power to issue declaratory and injunctive relief, including to enjoin violations of federal law by federal officials. *See Armstrong*, 575 U.S. 320.

### **SIXTH CLAIM FOR RELIEF**

#### ***(Ultra Vires Action)***

#### **(Plaintiffs (Excluding Black Millennial Movement and Rose City Justice) Against Defendants Trump, Wolf, and Russell in Their Official Capacities, and DHS and USMS)**

167. Plaintiffs hereby reallege and incorporate by reference the allegations in paragraphs 1 through 166 as if fully set forth herein.

168. To the extent any of Defendants' actions are unreviewable under any of the preceding causes of action, this Court has jurisdiction to review Defendants' actions under the doctrine of non-statutory review.

169. As alleged herein, Defendants' actions exceeded the authority conferred on Defendants by Congress.

170. As alleged herein, Defendants' actions were contrary to the United States Constitution.

171. Plaintiffs are entitled to a declaration that Defendants' actions were *ultra vires*.

172. As a direct and proximate cause of Defendants' *ultra vires* actions, Plaintiffs have suffered legal wrong and are realistically threatened by a repetition of Defendants' unlawful acts.

**SEVENTH CLAIM FOR RELIEF**

**(Violation of 42 U.S.C. § 1985(3) (Conspiracy to Deprive Rights))**

**(Plaintiffs (Excluding Black Millennial Movement and Rose City Justice) Against Defendants Wolf, Russell, and Does in Their Individual Capacities)**

173. Plaintiffs hereby reallege and incorporate by reference the allegations in paragraphs 1 through 172 as if fully set forth herein.

174. Plaintiffs bring this claim against Defendants Wolf, Russell, and Does in their individual capacities.

175. Defendants Wolf, Russell, and Does conspired together to deprive Plaintiffs of their civil rights in violation of 42 U.S.C. § 1985(3).

176. The conspiracy included those involved in ordering and executing “Operation Diligent Valor” and conducting law enforcement actions in connection with that operation, including Defendants Wolf, Russell, and Does.

177. The conspirators engaged in overt acts in furtherance of the conspiracy, including, but not limited to, using excessive force against civil rights activists outside the Hatfield Courthouse and in the surrounding area between July 4, 2020 and July 29, 2020, including shooting them in the head and body with impact munitions and pepper balls, spraying them directly in the face with pepper spray, shoving them to the ground, hitting and beating them with batons, firing massive clouds of tear gas at them, and, in some instances, arresting and detaining them without any lawful basis.

178. The conspiracy targeted Black Americans and their supporters, who were protesting on behalf of Black Lives Matter and in opposition to disproportionate police violence against Black Americans. Both groups are protected classes under 42 U.S.C. § 1985(3).

179. Defendants Wolf and Russell directed the conspiracy to take these actions because of their adverse effects upon an identifiable group—namely, civil rights activists protesting on behalf of Black Lives Matter and in opposition to Defendants Wolf, Russell, and Does.

180. The conspiracy targeted Plaintiffs’ protected First Amendment activities because Defendants held animus towards Plaintiffs’ viewpoints as reflected in, but not limited to, the public statements of Defendants Trump and Wolf. The violent actions of the conspirators directly interfered with Plaintiffs’ protected First Amendment activities.

181. The conspiracy violently interfered with Plaintiffs’ rights to use public accommodations, and therefore their right to be free from the badges and incidents of slavery. Lownsdale Square, SW Third Avenue, and the surrounding environs are places of public accommodation.

182. Defendants Wolf, Russell, and Does are liable in their individual capacities under 42 U.S.C. § 1985(3) for damages.

183. Defendants Wolf, Russell, and Does are liable for punitive damages due to their willfully or recklessly depriving Plaintiffs of the equal protection of the laws and/or equal privileges and immunities under the laws.

**EIGHTH CLAIM FOR RELIEF**

**(Violation of 42 U.S.C. § 1986 (Failure to Prevent a Conspiracy to Deprive Rights))**

**(Plaintiffs (Excluding Black Millennial Movement and Rose City Justice) Against Defendants Wolf, Russell, and Does in Their Individual Capacities)**

184. Plaintiffs hereby reallege and incorporate by reference the allegations in paragraphs 1 through 183 as if fully set forth herein.

185. Defendants Wolf, Russell, and Does violated 42 U.S.C. § 1986 by failing to meet their duty to prevent or aid in preventing a conspiracy to deprive civil rights.

186. Defendants Wolf, Russell, and Does knew that a Section 1985 violation was about to occur or was occurring, had the power to prevent or aid in preventing it, and neglected or refused to prevent or aid in preventing it.

187. As set forth above, the Section 1985 conspiracy consisted of using excessive force against civil rights activists outside the Hatfield Courthouse and in the surrounding area between July 4, 2020 and July 29, 2020, including shooting them in the head and body with impact munitions and pepper balls, spraying them directly in the face with pepper spray, shoving them to the ground, hitting and beating them with batons, firing massive clouds of tear gas at them, and, in some instances, arresting and detaining them without any lawful basis, for the purpose of depriving them of equal privileges and immunities under the laws. Defendants Wolf, Russell, and Does knew such violence was planned and could have taken actions to stop or limit that violence. Defendants Wolf, Russell, and Does willfully or negligently took no such action.

188. Defendants Wolf, Russell, and Does could have and should have refused to issue or comply with unlawful orders, refused to use unlawful force against Plaintiffs, refused to order or allow officers under their command to carry out unlawful acts against Plaintiffs, and/or attempted to appeal to superiors to take a different course of action.

189. As a result of Defendants Wolf, Russell, and Does' failure to prevent the Section 1985 conspiracy, Plaintiffs were injured and their rights were violated.

190. Defendants Wolf, Russell, and Does acted with reckless or callous indifference to the federally protected rights of Plaintiffs and are therefore liable for punitive damages.

## PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray that the Court:

1. Issue a declaration that the acts of Defendants Wolf, Russell, and Does described herein violated the Fourth Amendment to the United States Constitution as well as 42 U.S.C. § 1985 and 42 U.S.C. § 1986;
2. Issue a declaration that Defendants Wolf and Russell's actions in ordering and/or supervising the indiscriminate use of excessive force against Plaintiffs Black Millennial Movement and Rose City Justice violated the First Amendment to the United States Constitution;
3. Issue a declaration that the policy under which Mr. Pettibone was arrested was an unlawful agency action (a) not in accordance with law, (b) contrary to constitutional right, power, privilege, or immunity, (c) in excess of statutory authority, and/or (d) without observance of procedure required by law;
4. Issue a declaration that the policy under which excessive force was indiscriminately deployed against Plaintiffs was an unlawful agency action (a) not in accordance with law, (b) contrary to constitutional right, power, privilege, or immunity, (c) in excess of statutory authority, and/or (d) without observance of procedure required by law;
5. Issue a declaration that Defendants' unlawful arrest of Mr. Pettibone violated the Fourth Amendment;
6. Enjoin Defendants to inform Mr. Pettibone whether Defendants maintain records relating to his unlawful arrest, including without limitation, photographs, notes

and/or records of the arrest, and any information collected from Mr. Pettibone's cell phone;

7. Enjoin Defendants to inform Mr. Pettibone whether Defendants disseminated records relating to Mr. Pettibone's arrest to other individuals and/or agencies;
8. Enjoin Defendants to expunge all records and information they have retained about Mr. Pettibone collected during his unlawful arrest, including any information collected from his cell phone;
9. Issue a declaration that Defendants' actions were *ultra vires*;
10. Award compensatory and punitive damages to Plaintiffs according to proof at trial, including damages for pain and suffering;
11. Award costs of suit and attorneys' fees; and
12. Provide such other and further relief as the Court deems just and proper.

#### **DEMAND FOR JURY TRIAL**

13. Plaintiffs demand a jury trial.

DATED: August 26, 2020.

STOEL RIVES LLP

*s/ Per A. Ramfjord*

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*Attorneys for Plaintiffs Mark Pettibone,  
Fabiym Acuay (a.k.a. Mac Smiff), Andre  
Miller, Nichol Denison, Maureen Healy,  
Christopher David, Duston Obermeyer,  
James McNulty, Black Millennial  
Movement, and Rose City Justice, Inc.*



Message

From: (b)(6), (b)(7)(C)

Sent: 9/25/2020 9:29:25 PM

To: (b)(6), (b)(7)(C)

Subject: Re: BLM Chicago v. Wolf, et al., No. 20 C 4319

Correct: (b)(5)  
(b)(5)

(b)(6), (b)(7)(C)  
Deputy Executive Director – Operations  
Office of Field Operations  
U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (office)

(b)(6), (b)(7)(C) (cell)

From: (b)(6), (b)(7)(C)

Sent: Friday, September 25, 2020 5:27:12 PM

To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

Subject: FW: BLM Chicago v. Wolf, et al., No. 20 C 4319

DXDs,  
(b)(5) This is in relation to Operation Legend,  
where Criminal Investigators were deployed to Chicago. (b)(5)  
(b)(5)

(b)(6), (b)(7)(C)  
Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)



From: STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)

Sent: Friday, September 25, 2020 5:24 PM

To: (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

**Subject:** BLM Chicago v. Wolf, et al., No. 20 C 4319

Sirs,

**(b)(5), (b)(6), (b)(7)(C)**

Thanks so much and as always, do not hesitate to reach out if you or your folks need anything. Shelby

Message

**From:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Sent:** 9/25/2020 9:33:43 PM  
**To:** (b)(6), (b)(7)(C)  
**CC:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: BLM Chicago v. Wolf, et al., No. 20 C 4319

Thank you both!

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, September 25, 2020 2:31 PM  
**To:** (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: BLM Chicago v. Wolf, et al., No. 20 C 4319

Just confirming (b)(6), (b)(7)(C) response, (b)(5)

(b)(6), (b)(7)(C)  
Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, September 25, 2020 5:27 PM  
**To:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** RE: BLM Chicago v. Wolf, et al., No. 20 C 4319

Shelby,

You're correct, (b)(5)

(b)(6), (b)(7)(C)

CHIEF PATROL AGENT

U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP

OFFICE: (b)(6), (b)(7)(C) | CELL: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)

Sent: Friday, September 25, 2020 3:24 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: BLM Chicago v. Wolf, et al., No. 20 C 4319

Sirs,

**(b)(5), (b)(6), (b)(7)(C)**

Thanks so much and as always, do not hesitate to reach out if you or your folks need anything. Shelby

Message

**From:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**Sent:** 9/25/2020 9:28:14 PM

**To:** (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC)  
 (b)(6), (b)(7)(C)

**CC:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**Subject:** RE: BLM Chicago v. Wolf, et al., No. 20 C 4319

Thanks very much for your prompt response. Look forward to working with you.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
 Deputy Associate Chief Counsel | Office of Associate Chief Counsel | U.S. Customs and Border Protection  
 610 South Canal (b)(6), (b)(7)(C) Chicago, IL 60607 Tel: (b)(6), (b)(7)(C) Cell: (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**Sent:** Friday, September 25, 2020 4:27 PM

**To:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**Cc:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)  
 (b)(6), (b)(7)(C)

**Subject:** RE: BLM Chicago v. Wolf, et al., No. 20 C 4319

Shelby,

You're correct, (b)(5)

(b)(6), (b)(7)(C)  
 CHIEF PATROL AGENT  
 U.S. BORDER PATROL | SPECIAL OPERATIONS GROUP  
 OFFICE: (b)(6), (b)(7)(C) CELL: (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)

**From:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)

**Sent:** Friday, September 25, 2020 3:24 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

(b)(5)

Subject: BLM Chicago v. Wolf, et al., No. 20 C 4319

Sirs,

**(b)(5), (b)(6), (b)(7)(C)**

Thanks so much and as always, do not hesitate to reach out if you or your folks need anything. Shelby

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 9/25/2020 9:27:12 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: BLM Chicago v. Wolf, et al., No. 20 C 4319  
**Attachments:** Amended.Complaint.BLM Chicago v Wolf.No. 20 C 4319.pdf

DXDs,

(b)(5) This is in relation to Operation Legend,  
where Criminal Investigators were deployed to Chicago. (b)(5)  
(b)(5)

(b)(6), (b)(7)(C)  
Director, Special Operations Division  
Office of Field Operations  
U.S. Customs and Border Protection  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)



**From:** STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C)  
**Sent:** Friday, September 25, 2020 5:24 PM  
**To:** (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**Subject:** BLM Chicago v. Wolf, et al., No. 20 C 4319

Sirs,

(b)(5), (b)(6), (b)(7)(C)

Thanks so much and as always, do not hesitate to reach out if you or your folks need anything. Shelby

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BLACK LIVES MATTER CHICAGO;	)	
BLACK ABOLITIONIST NETWORK;	)	
CHICAGO DEMOCRATIC	)	No. 20 C 4319
SOCIALISTS OF AMERICA; GOOD	)	
KIDS/MAD CITY;	)	Hon. Rebecca R. Pallmeyer,
#LETUSBREATHE COLLECTIVE;	)	Chief Judge
SOUTH SIDERS ORGANIZED FOR	)	
UNITY AND LIBERATION;	)	Hon. Heather K. McShain,
NATIONAL LAWYERS GUILD	)	Magistrate Judge
CHICAGO; FIRST DEFENSE LEGAL	)	
AID; and IN THESE TIMES,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
CHAD WOLF; ALYSA ERICHS;	)	
MATTHEW T. ALBENCE; MARK A.	)	
MORGAN; WILLIAM BARR; L. ERIC	)	
PATTERSON; RICHARD K. CLINE;	)	
DONALD W. WASHINGTON;	)	
CHRISTOPHER WRAY; TIMOTHY J.	)	
SHEA; REGINA LOMBARDO; and	)	
UNKNOWN AGENTS AND	)	
OFFICERS OF THE UNITED	)	
STATES 1-10,	)	<b>PLAINTIFFS' COMPLAINT FOR</b>
	)	<b>INJUNCTIVE AND</b>
Defendants.	)	<b>DECLARATORY RELIEF</b>

**FIRST AMENDED COMPLAINT**

Plaintiffs BLACK LIVES MATTER CHICAGO; BLACK ABOLITIONIST NETWORK; CHICAGO DEMOCRATIC SOCIALISTS OF AMERICA; GOOD KIDS/MAD CITY; #LETUSBREATHE COLLECTIVE; SOUTH SIDERS ORGANIZED FOR UNITY AND LIBERATION; NATIONAL LAWYERS GUILD



CHICAGO; FIRST DEFENSE LEGAL AID; and IN THESE TIMES, by their undersigned attorneys, hereby complain against Defendants CHAD WOLF, Acting Secretary of the U.S. Department of Homeland Security; ALYSA ERICHS, Acting Executive Associate Director, U.S. Homeland Security Investigations; MATTHEW T. ALBENCE, Deputy Director of the U.S. Immigration and Customs Enforcement; MARK A. MORGAN, a senior official currently performing the duties of the Commissioner of the U.S. Customs and Border Protection; WILLIAM BARR, Attorney General of the United States; L. ERIC PATTERSON, Director of Federal Protective Services; RICHARD K. CLINE, Principal Deputy Director of the Federal Protective Services; DONALD W. WASHINGTON, Director of the U.S. Marshals Service; CHRISTOPHER WRAY, Director of the Federal Bureau of Investigation; TIMOTHY J. SHEA, Acting Administrator of the U.S. Drug Enforcement Agency; REGINA LOMBARDO, Acting Director of the U.S. Bureau of Alcohol, Tobacco, Firearms; and UNKNOWN AGENTS AND OFFICERS OF THE UNITED STATES 1-10, and state as follows:

### **INTRODUCTION**

1. The President and his appointees are sending federal agents to the streets of Chicago in order to intimidate and falsely arrest civilians who are exercising their constitutional right to speak and to assemble.

2. Federal authorities have promised to deploy in Chicago the same secret police force that has terrorized the people of Portland, Oregon for more than

two weeks, where civilians have been kidnapped, beaten, and tear gassed by anonymous federal agents.

3. Rarely in modern times has a President of the United States trampled on bedrock constitutional protections on this scale or so brazenly usurped states' police power by directing federal agents to carry out an illegal mission against the people for his own personal political benefit.

4. Plaintiffs have been engaged intensively in and have reported on peaceful protest in Chicago for the past nine weeks, in the wake of the murder of George Floyd and other Black Americans who were murdered by police officers, and they and their members have additional peaceful protests planned for today and the immediate future.

5. Plaintiffs are entitled to this Court's protection of their constitutional right to peacefully protest. This Court must check the unrestrained and unlawful actions of the executive branch.

### **JURISDICTION AND VENUE**

6. This Court has jurisdiction of this action pursuant to 28 U.S.C. § 1331, the First and Fourth Amendments to the United States Constitution, and 5 U.S.C. § 702, *et seq.*

7. The Court is authorized to award the requested declaratory and injunctive relief by the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202; the Administrative Procedures Act, 5 U.S.C. § 706; and the Court's equitable powers.

8. Venue is proper under 28 U.S.C. § 1391(b). Defendants are United States agencies or officers sued in their official capacities. Plaintiffs are residents of the State of Illinois, and the events giving rise to this complaint occurred and are likely to continue occurring in the State of Illinois, within the City of Chicago.

9. Venue is also proper under 28 U.S.C. § 1391(e)(1) because Defendants are officers or employees of the United States acting in their official capacity, and at least one Plaintiff resides in this district or a substantial part of the events or omissions giving rise to the claims occurred in this district.

### **PARTIES**

10. Plaintiff BLACK LIVES MATTER CHICAGO is an organization that fights for justice alongside the families most impacted by racially motivated violence and marginalization of Black communities, while working to create just and equitable systems. Black Lives Matter (BLM) Chicago works to end state violence and criminalization of Black communities by deconstructing the white supremacist, capitalist patriarchy. Individual members of BLM Chicago regularly plan and participate in protests and political actions, have participated in the recent protests in Chicago, and are likely to be subjected to constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. These constitutional violations would require BLM Chicago to spend additional time and resources providing support to its members, diverting resources away from BLM's mission of creating just and equitable systems for all. BLM

Chicago brings this action on its own behalf and as an organizational representative for its members.

11. Plaintiff BLACK ABOLITIONIST NETWORK (BAN) is a network of organizers, strategists, and activists who provide strategic support to the movement. BAN members conduct mass trainings, teach-ins and town halls for community members. Individual members of BAN regularly plan and participate in protests and political actions, have participated in the recent protests in Chicago, and are likely to be subjected to the constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. These constitutional violations would require BAN to spend additional time and resources providing support to its members, diverting resources away from BAN's mission of providing support to movements and increasing the capacity of community members involved in movement work. BAN brings this action on its own behalf and as an organizational representative for its members.

12. Plaintiff CHICAGO DEMOCRATIC SOCIALISTS OF AMERICA (CDSA) is an organization of over 2,500 members in Cook County, Illinois and an Illinois corporation. As part of pursuing its political mission, it engages in peaceful mass protest against violent police repression of the working class. Through its online magazine, newsletter, podcast, and other media channels, CDSA and its individual members are also engaged in journalism on the subject of the recent uprisings responding to police violence against the working class. Individual

members of CDSA regularly plan and participate in protests and political actions, have participated in the recent protests in Chicago, and are likely to be subjected to the constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. These constitutional violations would require CDSA to spend additional time and resources providing support to its members, diverting resources away from CDSA's mission of creating a more equitable world by establishing socialism as a political force. CDSA brings this action on its own behalf and as an organizational representative for its members.

13. Plaintiff GOOD KIDS/MAD CITY (GKMC) are young Black and Brown people united in fighting to end violence in their cities. They work to achieve more resources for underserved communities on the South Side and West Side of Chicago and provide support to young people affected by violence. Individual GKMC members regularly plan and participate in protests, have participated in the recent protests in Chicago, and also have launched "love marches" to encourage communities to resolve conflicts peacefully. They are likely to be subjected to the constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. When these constitutional violations occur, GKMC must divert time and resources from its mission of reducing violence and improving equality in underserved neighborhoods.

14. Plaintiff #LETUSBREATHE COLLECTIVE is a collaborative of artists and activists that serves communities directly impacted by mass criminalization, police violence, and systemic injustice by centering marginalized voices and dismantling oppressive systems. Through direct action and cultural events, #LETUSBREATHE COLLECTIVE aims to organize artists to love and transform themselves and their communities through radical imagination and creative healing work. Individual members of #LETUSBREATHE COLLECTIVE regularly plan and participate in protests and political actions, have participated in the recent protests in Chicago, and are likely to be subjected to the constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. When these constitutional violations occur, #LETUSBREATHE COLLECTIVE must divert time and resources from its mission of promoting radical healing work in underserved communities.

15. Plaintiff SOUTH SIDERS ORGANIZED FOR UNITY AND LIBERATION (“SOUL”) is a membership organization that consists of more than two dozen faith based organizations and community organizations on the Southside of Chicago, that organizes the communities in which its member organizations operate to fight for low-income people of color in the Chicago southland to build power and leverage that power to fight for their own interest and liberation. SOUL partners with their membership organizations and trains them and other community activists and leaders in organizing strategies specifically designed to

build leadership and impact public policy and legislation on multiple issues including housing, health care, education, economic development, employment, youth services and public safety policy. For the last two months, SOUL has focused its organizing on public safety policy and has activated many of the members and congregants of its membership organizations and congregations to participate in protests to encourage smarter public safety strategies that involve less policing and more resources in disinvested communities. Individual staff and members of SOUL regularly plan and participate in protests and political actions, have participated in the recent protests in Chicago, and are likely to be subjected to the constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. When these constitutional violations occur, SOUL must divert time and resources from its mission of promoting radical healing work in underserved communities.

16. Plaintiff NATIONAL LAWYERS GUILD CHICAGO (NLG Chicago) is an organization of lawyers, law students, legal workers, and jailhouse lawyers who operate as a political and social force, working to build a world where human rights are regarded as more sacred than property interests. Individual members of NLG Chicago have been subject to aggressive policing and incommunicado detention by virtue of their advocacy in support of First Amendment-protected protest activity. NLG Chicago provides “Legal Observers” who document police behavior during protests, including the most recent ones opposing police violence. It

also provides legal representation to protesters who are arrested. Individual members of NLG Chicago regularly attend protests as Legal Observers, have participated in the recent protests in Chicago, and are likely to be subjected to the constitutional violations by the Defendants under the policies and practices described herein, including but not limited to violations of their First Amendment rights and false arrests and detentions. When these constitutional violations occur, NLG Chicago is forced to divert time and resources away from their mission of protecting members' and clients' civil rights and liberties during protests. Furthermore, when Legal Observers are arrested during protests, NLG Chicago loses the ability to provide oversight of police activities and treatment of protesters. NLG Chicago is further forced to divert resources to find other Legal Observers to cover the duties of arrested members.

17. Plaintiff FIRST DEFENSE LEGAL AID (FDLA) was originally a pro bono nonprofit that provided free representation at police stations in Chicago. This was its purpose for nearly a quarter century until it organized its mission out of existence by fighting for and achieving a Cook County-wide policy that calls for the Cook County Public Defender to represent arrestees at police stations in Chicago and throughout Cook County. FDLA still maintains a hotline that sends callers looking for police station representation to the Public Defender, and therefore uses resources when those calls are made. But the primary two functions of FDLA are now different. First, FDLA continues to employ attorneys that represent pro bono individuals that have low-damage civil rights cases against the City of Chicago



when no private firm will take that case. Second, FDLA operates a hotline that provides non-police alternatives for community members that do not want to call police to deal with issues such as mental health disturbances, suicidal relatives, domestic disturbances, homeless people, minor trespassing, etc. This hotline is the model of what local jurisdictions including Chicago should be doing to de-escalate violent interactions between police and citizens. Lastly, FDLA has some community navigators that work with community activists and leaders to organize for community power and say so in public policy including public safety public policy. Every aspect of FDLA's operations will see its resources stressed by the presence of federal law enforcement in Chicago. This includes its navigators' desires to engage in public policy action being tempered.

18. Plaintiff IN THESE TIMES (ITT) is an independent, nonprofit magazine which is dedicated to advancing democracy and economic justice, informing movements for a more humane world, and providing an accessible forum for debate about the policies that shape the future. ITT is based in Chicago and covers topics of social and political interest, with a focus on movements for social change, including the Black Lives Matter movement and other movements calling to defund police departments. In order to effectively report on these movements, journalists employed full-time or in a freelance capacity by ITT have attended protests against police violence in Chicago and intend to continue to do so. Journalists employed by ITT are likely to be subjected to constitutional violations

by Defendants—including but not limited to violations of their First Amendment rights.

19. Plaintiffs bring this action on their own behalf and on behalf of their members.

20. Defendant CHAD WOLF is the purported acting secretary of the U.S. Department of Homeland Security (DHS). DHS is a Cabinet-level Department of the U.S. government. Its stated missions involve anti-terrorism, border security, immigration, and customs. It was created in 2002, combining 22 different federal departments and agencies into a single Cabinet agency.

21. Defendant ALYSA ERICHS is Acting Executive Associate Director, U.S. Homeland Security Investigations (HSI). HSI is an investigative arm of DHS which states as its goal: “[C]ombating criminal organizations illegally exploiting America’s travel, trade, financial and immigration systems.” HSI’s legal authority allows it to investigate only cross-border criminal activity relating to “financial crimes, money laundering and bulk cash smuggling; commercial fraud and intellectual property theft; cybercrimes; human rights violations; human smuggling and trafficking; immigration, document and benefit fraud; narcotics and weapons smuggling/trafficking; transnational gang activity; export enforcement; and, international art and antiquity theft.”

22. Defendant MATTHEW T. ALBENCE is purported Deputy Director and Senior Official Currently Performing the Duties of the Director of the U.S. Immigration and Customs Enforcement (ICE), an agency housed within DHS. Its

stated mission is “to protect America from the cross-border crime and illegal immigration that threaten national security and public safety.”

23. Defendant MARK A. MORGAN is the purported Senior Official Currently Performing the Duties of the Commissioner of the U.S. Customs and Border Protection (CBP). CBP is an agency within DHS. Its stated mission is “[t]o safeguard America’s borders thereby protecting the public from dangerous people and materials while enhancing the Nation’s global economic competitiveness by enabling legitimate trade and travel.”

24. Defendant WILLIAM BARR is Attorney General of the United States, and in that position oversees the U.S. Department of Justice.

25. Defendant L. ERIC PATTERSON is Director of Federal Protective Services. Federal Protective Services (FPS) is a division of DHS. Its mission is “[t]o prevent, protect, respond to and recover from terrorism, criminal acts, and other hazards threatening the U.S. Government’s critical infrastructure, services, and the people who provide or receive them.” According to its website, it is responsible for guarding 9,000 federal facilities and employs more than 1,300 officers, agents, and support staff who are responsible for overseeing another 13,000 private contractors.

26. Defendant RICHARD K. CLINE is the Principal Deputy Director of the FPS. According to his official DHS biography, he “serves as an extension of the Director and operates with full authority to execute the mission of the FPS.”

27. Defendant DONALD W. WASHINGTON is Director of the U.S. Marshals Service. The U.S. Marshals Service is an agency within and under the

control of the U.S. Department of Justice. According to a Fact Sheet on its website, “it is the enforcement arm of the federal courts, involved in virtually every federal law enforcement initiative.” The U.S. Marshals Service’s Special Operations Group says it is “deployed in high-risk and sensitive law enforcement situations, national emergencies, civil disorder and natural disasters.”

28. Defendant CHRISTOPHER WRAY is Director of the Federal Bureau of Investigation (FBI). The Federal Bureau of Investigation is an agency within the U.S. Department of Justice.

29. Defendant TIMOTHY J. SHEA is the Acting Administrator of the U.S. Drug Enforcement Agency (DEA). The DEA is a federal law enforcement agency under the U.S. Department of Justice. According to its website, the mission of the DEA is to enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

30. Defendant REGINA LOMBARDO is Acting Director of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). According to the ATF’s website, “ATF is a law enforcement agency in the United States’ Department of

Justice that protects our communities from violent criminals, criminal organizations, the illegal use and trafficking of firearms, the illegal use and storage of explosives, acts of arson and bombings, acts of terrorism, and the illegal diversion of alcohol and tobacco products. We partner with communities, industries, law enforcement, and public safety agencies to safeguard the public we serve through information sharing, training, research, and use of technology.”

**31. UNKNOWN AGENTS AND OFFICERS OF THE UNITED STATES**

1–10 are unidentified agents and officers of the federal agencies listed in this complaint, acting under color of federal law and within the scope of their employment and duties with the respective agencies by which they are employed or for which they are agents.

**FACTS**

**I. PLAINTIFFS ARE ENGAGED IN PEACEFUL PROTESTS**

**A. Peaceful Protests in Chicago in 2020**

32. On May 25, 2020, Minneapolis police officers murdered George Floyd, who was handcuffed and lying face down on the ground, by suffocating him to death in broad daylight on the street.

33. Floyd’s murder and the police murder of Breonna Taylor in Louisville, Kentucky, in addition to recent police murders of other Black people in the United States sparked the largest movement for social and racial justice in history and has included peaceful protests around the world against anti-Black police violence, systemic racism, and inequality.

34. In Chicago, Plaintiffs are the leaders of this movement against anti-Black racism and for human rights and social justice.

35. Since the end of May 2020, there have been nearly daily protests and actions throughout the city of Chicago, ranging in size from a few dozen people to thousands. These protests have occurred throughout Chicago, in the Loop, and the South, West, and North sides.

36. Plaintiffs have been part of the largest global movement for human rights in recent memory. The Plaintiffs Black Lives Matter Chicago, Black Abolitionist Network, Chicago Democratic Socialists of America, Good Kids/Mad City, #LetUsBreathe Collective, South Siders Organized for Unity and Liberation, OCAD, and their membership have been in the streets protesting police brutality as part of the movement for Black lives.

37. Legal observers associated with the Plaintiffs National Lawyers Guild Chicago and First Defense Legal Aid have been attending the protests to document police activity and police constitutional violations.

38. Journalists and employees of Plaintiff In These Times have been present at protests to report on the historic protests as well as on the police response.

**B. Violence by the Chicago Police During Peaceful Protests**

39. The Chicago Police Department (CPD) has responded—and continues to respond—to these protests with brutal, violent, unconstitutional tactics that are clearly intended to silence protestors.

40. CPD officers consistently target protesters with unlawful, retaliatory, and lethal force. Officers' animus against protesters is unmistakable—they regularly refer to protestors with terms that are vile, misogynistic, and anti-gay. CPD also targets protester's property—destroying cameras, phones, eyeglasses and confiscating bikes, backpacks, and other belongings.

41. Protesters often report that CPD officers intentionally strike them on their head with batons with enough force to leave people bloodied and in some instances with serious concussions.

42. On June 23, 2020, the Chicago Reader published an in-depth examination of the CPD's use of lethal force during the May 2020 protests. The reporter documented "83 baton strikes on at least 32 different people by officers, most captured on video. Nearly all appear to violate [CPD] policy with more than half of the strikes on video involving police beating people who were already on the ground. Multiple videos also show officers hitting protesters in the head with batons despite rules limiting these strikes to situations requiring deadly force." The Reader article notes that these unlawful uses of force often occurred in full view of supervisors who failed to intervene and that most officers failed to report their uses of force.

43. CPD's brutal response has also included police officers tackling protesters to the ground, kneeling protesters in the neck and back, kicking protesters in the legs to cause them to fall, trapping protesters on bridges, pushing protesters stranded on bridges, pinning protesters against hard surfaces, using tear

gas and pepper spray, dragging protesters through the streets, punching protesters in the face, stomping on protesters on the ground, and beating protesters severely.

44. Protesters widely report that CPD targets those it has identified as protest marshals or leaders with the most brutal violence apparently as part of a strategy to quell the protesters' free expression. CPD also was particularly violent with protesters who expressed concern that CPD was harming other people. Protestors repeatedly reported that CPD officers pushed, shoved, battered, and harassed people who were filming acts of police brutality during the uprisings. Often this resulted in confiscated or damaged camera and physical injury to protesters exercising their First Amendment right to record the police.

45. People of all races who interact with CPD officers during protests report that officers are aggressive, rude, disrespectful, and often affirmatively escalate encounters through taunts, shoves, pushes and other inappropriate behavior. CPD officers used particularly hostile language towards women and members of the LGBTQ community.

46. CPD's response to the protests also reflects a pattern and practice of breaking, stealing, or otherwise disposing of protestors' belongings, including bikes, cameras, glasses, goggles and, in some instances, canes used to assist with mobility.

47. CPD has also engaged in a systemic practice of illegal searches of protesters, seizure of protesters, and false arrest of protesters.

48. Throughout these events, Mayor Lori Lightfoot has praised the police for their "restraint."



**C. Chicago's History of Illegal Force, Arrest, Detention, and Surveillance of Protestors**

49. CPD has long used excessive force and false arrest at protests, including in recent years, at the Black Lives Matters protests and the protests against the NATO Summit in 2012.

50. CPD has a long history of surveillance of protesters. This has included sending law enforcement infiltrators to surveil protest groups and using technology to surveil the communications of protesters and organizers.

51. CPD has long operated an unconstitutional detention center at the intersection of South Homan Street and West Filmore Avenue (hereinafter "Homan Square"). CPD has brought thousands of people—predominately and disproportionately Black and Latinx people—to Homan Square and interrogated them using unconstitutional tactics including: physical threats and assaults, denial of food, water, bathrooms, and sleep, placing individuals in cells with the overwhelming stench of human feces and urine, psychological coercion, threats of false charges, and racial slurs. CPD has used these interrogations to try to obtain information from individuals. CPD holds these individuals for long periods of time, without allowing them access to legal counsel or taking them before a judge, and without revealing their whereabouts to concerned friends, family members, or counsel. In other words, the activities of CPD at Homan Square proceed under a shroud of secrecy without any judicial or public oversight.

## **II. THE PRESIDENT HAS DEPLOYED A SECRET POLICE FORCE**

### **A. President Trump's Threats to Use Force Against Civilians**

52. President Donald Trump has long fancied himself a strongman leader better suited for a dictatorship than a democracy.

53. He has maligned the nation's cities, including Chicago, Portland, and New York, saying they are "run" by "Radical Left Democrats" who, in his view, will "destroy our Country as we know it."

54. The President has continually spoken out against peaceful protestors, even directing his agents to clear peaceful protestors from public grounds outside of the White House through the use of physical force and chemical weapons.

55. The President and members of his administration, including Defendants, have repeatedly referred to protestors as "violent anarchists," "agitators," and "violent" or "lawless" "mobs."

56. On June 1st, 2020, some 350 CBP officers were deployed to Washington, D.C. to patrol the protests. CBP's purported Acting Commissioner Mark Morgan defended this deployment in a tweet stating that: "These 'protests' have devolved into chaos & acts of domestic terrorism by groups of radicals & agitators. @CBP is answering the call and will work to keep DC safe."

57. Repeatedly, the President has warned the nation's cities that he will use similar force against their civilians to end peaceful protest.

58. On June 1, 2020, the President warned that he would militarize the streets of American cities, stating, "Mayor and governors must establish an

overwhelming law enforcement presence until the violence has been quelled . . . . If a city or state refuses to take the actions that are necessary to defend the life and property of their residents, then I will deploy the United States Military and quickly solve the problem for them.”

59. To this end, on June 26, 2020, the President signed an Executive Order on “Protecting American Monuments, Memorials, and Statues, and Combating Recent Criminal Violence,” in which he fulminated against the protests in American cities and gave federal law enforcement and military leave to “assist” in protecting federal property for the next six months.

60. On July 1, 2020, CBP circulated a memorandum to CBP officers detailing their mission in Portland as a response to the President’s recent Executive Order.

61. The July 1st CBP Memo explained that the purported Acting Secretary of DHS, Chad Wolf, created the DHS Protecting American Communities Task Force, which would “provide an ongoing assessment of potential civil unrest and property destruction and to address resource allocation and potential surge activity to ensure the continuing protection of people and property.”

62. The July 1st CBP Memo further explained that DHS has decided along with other departments and agencies that it is “in the public interest and fiscally sound for the Federal Protective Services . . . to partner with other federal law enforcement to execute the directive of the President. To that end, DHS began

coordination with the Department of Justice (DOJ) and Department of the Interior (DOI) to establish information/intelligence sharing[.]”

63. The July 1st CBP Memo goes on to explain that CBP officers were to be deployed to cities across the country for the July 4th weekend.

64. Defendant Wolf announced on July 3, 2020 that DHS was “following [President Trump’s] lead in deploying special units to defend our national treasures from rioters.” He also stated, “We won’t stand idly by while violent anarchists and rioters seek not only to vandalize and destroy the symbols of our nation, but to disrupt law and order and sow chaos in our communities,” and “civil unrest will not be tolerated.”

65. CBP officers, and upon information and belief, other federal agents, have been deployed in undisclosed cities throughout the country in response to the nationwide protests, or what DHS calls “civil unrest” or “disruptive activity.” One of these locations was Portland, Oregon.

#### **B. The Secret Police Terrorize Portland**

66. Starting on or about July 1, 2020, President Trump gave life to his authoritarian vision for our cities, sending unidentified federal agents to the streets of Portland, Oregon.

67. For several weeks, a paramilitary force of agents of the DHS, as well as other federal agents known and unknown to Plaintiffs, have been deployed on Portland streets.

68. It has been reported in the media that the camouflaged federal troops sent to Portland were officers from several federal agencies, including not only CBP, but also the U.S. Marshals Service.

69. These federal agents dressed in camouflage, fatigues, and tactical gear, without any insignia or information identifying them. They have used batons, tear gas, rubber bullets, and munitions on protesters, journalists, and legal observers.

70. They have used such force and intimidation despite the fact that protestors, journalists, and legal observers were not committing any federal crimes, and were not doing anything threatening whatsoever.

71. For example, federal agents shot unarmed protester Donovan LaBella in the head with a munition, reportedly fracturing his skull.

72. On July 12, 2020, while journalist Mathieu Lewis-Rolland was documenting protests in Portland, federal agents shot him in the side and back ten times with hard plastic bullets that tore holes into his "PRESS" t-shirt, despite his clear identification as press, and despite that he was carrying bulky camera equipment, staying in well-lit areas, and posing no threat to anyone.

73. Journalist Garrison Davis was also covering protests in Portland on the night of July 11, 2020 and the early morning of July 12, wearing a helmet that said "PRESS" on it in big block letters, holding his press pass, and not participating in protests. Though he posed no threat to anyone, a federal agent shot him in the back with a tear gas canister, pepper bullets, and other munitions.

74. Egregiously, federal agents beat and pepper-sprayed a Navy veteran, Christopher David, who went to the protests to ask the federal agents whether they thought they were upholding the U.S. Constitution with their actions. In response, the agents beat him, breaking his hand, and pepper sprayed him in the face, despite the fact that David posed no threat.

75. Indeed, even when a “wall of mothers”—women, some of whom were pregnant—stood in front of the protestors peacefully, arm-and-arm, and chanted things like “leave our kids alone,” the federal agents terrorized them with chemical weapons and other acts of violence.

76. When the Mayor of Portland, Ted Wheeler, joined the protests in Portland last week, federal agents tear gassed him, too.

77. On July 16, 2020, another Memorandum was sent to Chad Wolf as Acting Secretary of DHS (July 16th DHS Memo).

78. This July 16th DHS Memo stated that acting in response to President Trump’s Executive Order CBP and ICE had “mobilized tactical teams to provide support to [FPS] in protecting federal buildings and assets within the greater Portland, Oregon area.”

79. Further, the July 16th DHS Memo explains how the U.S. Marshals Service “deployed their Special Operations Group (USMS/SOG) to further assist FPS in the protection of the Mark O. Hartfield Federal Courthouse in Portland,” and that the “U.S. Secret Service, . . . ICE/HSI, and the . . . FBI have also provided investigative support to FPS.”

80. While in Portland, these CBP officers reportedly entered sections of the city where residents were peacefully protesting racial and social injustice. CBP officers have roamed far from any federal property, buildings, or monuments that they were purportedly deployed to protect.

81. CBP officers in Portland were wearing generic green law enforcement uniforms with no identifying insignias. These CBP officers then approached protesters in unmarked vehicles.

82. The July 1st CBP Memo and the July 16th DHS Memo each outline the coordination between subagency officers and agents of DHS, DOJ, and DOI which has been ongoing throughout the summer since in response to nationwide protests.

83. According to Ken Cuccinelli, the purported Acting Deputy Secretary of Homeland Security, the Hatfield courthouse in Portland is protected by the FPS. The Acting Deputy Secretary explained that CBP and ICE officers were called in to support FPS and, thus, that FPS was directing the involvement by CBP, ICE, and other DHS officers.

84. Defendant Wolf has publicly stated that 43 arrests have been made in relation to operations in Portland since the weekend of July 4th, including by teams of FPS and CBP officers working together. It is unknown how many instances have resulted in unauthorized searches, questioning, or seizure and temporary detention. It is also unknown which agencies have carried out exactly which arrests, searches, detainments, or custodial interrogations.

85. The President and his appointees and officers have tried to characterize these incidents of detainment and arrests as a response to individuals destroying federal property. For example, DHS Acting Deputy Secretary Ken Cuccinelli stated in an interview with NPR that “We’re talking only about violent rioters. We’re not talking about actual protesters. We’re not seeking to interfere at all with anyone peacefully expressing themselves—period, full stop.”

86. However, incidents like what happened to Mark Pettibone show otherwise—that protesters could do nothing more than walk down the street and still be subject to search, arrest, and hours of detainment.

87. Oregon Governor Kate Brown has called the federal agents’ conduct in Portland “a blatant abuse of power,” and has criticized the Trump Administration for intentionally “provok[ing] confrontation for political purposes.”

88. In a letter co-signed by the mayors of five other cities, including Chicago’s Mayor, Portland Mayor Ted Wheeler criticized the federal agents for using “tactics we expect from authoritarian regimes—not our democracy” and confirmed that “the irresponsible actions of [the federal] agencies threaten community safety.”

89. Oregon’s Attorney General has filed a federal lawsuit seeking to enjoin the federal agents from continuing to engage in their unlawful tactics.

90. Oregon’s Governor has requested the removal of federal agents from Portland’s streets, as has Mayor Wheeler, but Defendant Wolf has refused.



91. The *modus operandi* of the paramilitary force of federal agents in Portland includes: (1) anonymous federal agents dressed in camouflage who bear no known designation and refuse to identify themselves; (2) the use of unmarked vehicles used to illegally arrest and detain and round up protestors, journalists, and observers; (3) kidnapping of innocent civilians without probable cause; (4) uses of excessive, inexcusable force against people exercising their right to speak and to assemble as well as people reporting on peaceful protests; (5) “preemptive arrests” of people without probable cause to believe they committed any federal crime; (6) extending the “perimeter” of what is considered federal property to engage with protestors; and (7) investigating and questioning protestors about their associational activities.

**C. Illegal Federal Policies of Conducting False Arrests, Unlawful Domestic Surveillance, and Silencing Protestors**

92. Defendants have established official federal policies of conducting false arrests without probable cause, performing unlawful domestic surveillance, and silencing protestors, all with the purpose of intimidating and quashing speech because of its viewpoints.

93. Beginning on or about July 2020, Defendants established a federal policy of conducting arrests without probable cause to believe that any crime, let alone a federal crime, had been committed.

94. On July 15, 2020, armed federal agents dressed in camouflage pulled Mark Pettibone into an unmarked van without identifying themselves, drove him to

what is believed to have been a federal courthouse, and detained him in a cell before releasing him without any paperwork, citation, or record of his arrest.

95. There was no probable cause for Pettibone's arrest.

96. On July 15, 2020, a video emerged showing camouflaged federal agents grabbing an individual with his hands up standing on a sidewalk in Portland, placing him in an unmarked van, and driving away.

97. The NLG Legal Observers who was recording the video objected to this kidnapping.

98. These abductions occurred outside the jurisdiction of federal law enforcement.

99. Those abducted were not attacking federal property or personnel.

100. Those abducted had not committed any crime and there was no probable cause to suspect them of committing any crime.

101. On July 17, 2020, an official U.S. Customs and Border Patrol statement confirmed that the camouflaged officers were CBP agents.

102. In a press conference on July 21, 2020, Defendant Wolf called on Defendant Cline to explain the "standard of probable cause" justifying these arrests.

103. Defendant Cline specifically addressed the July 15th unmarked officer arrests explaining that the CBP agents had identified a man "in a crowd and in an area" where someone was aiming a laser at officers, and they followed him to a calmer location to talk to him. After doing so, they removed him from the area

where other protesters and observers were nearby and took him to another location in a van.

104. According to Defendant Cline, the CBP agents held the protestor for approximately 20 minutes of interrogation and then released him “because they did not have what they needed”—namely, probable cause—to hold him.

105. In attempting to justify the constitutionality of this act, Cline characterized it as a “simple engagement” and “not a custodial arrest.”

106. Later the same day, Defendant Wolf stated that DHS was “having to go out and proactively arrest individuals . . . to hold them accountable.”

107. Defendant Wolf’s statement explaining DHS’s authority to “proactively arrest” individuals further confirmed a federal policy that is being implemented by federal agents on city streets that contravenes the protections of the Fourth Amendment by sanctioning arrests without probable cause.

108. Defendants’ unlawful policy has been directed by Defendant Wolf, who purports to be Acting Secretary of Homeland Security but is not legally serving in this role. He has not received Senate confirmation, and indeed, the President has not even nominated him, reflecting his preference for “acting” officials and avoiding the oversight and accountability that the confirmation process ensures.

109. During Defendant Barr’s testimony before the House Judiciary Committee on July 28, 2020, he reaffirmed Defendants’ belief that they and their agents can carry out arrests without probable cause to believe that federal crimes have been committed.

110. Specifically, Congressman Ted Lieu asked Defendant Barr to acknowledge that the Portland van arrests are inconsistent with *Dunaway v. New York*, 442 U.S. 200 (1979), in which the Supreme Court held that police violate the Fourth Amendment when they pick someone up off the street and take them for questioning without probable cause.

111. Defendant Barr testified that his understanding is that the “modus operandi” of DHS agents is to take individuals into custody and question them based on their previous proximity to criminal activities.

112. Defendants’ statements have established a federal policy of allowing officers to make arrests without probable cause in violation of the Fourth Amendment.

113. President Trump has approved of the actions of the federal agents in Portland, thereby ratifying the federal agents’ policy of arresting individuals without probable cause and justifying the continued and expanded use of unlawful arrests that agents employed in Chicago and other cities.

114. For example, on June 20, 2020, President Trump stated “we’ve done a great job in Portland. . . . I guess we have many people in jail right now. We very much quelled it, and if it starts again, we’ll quell it again very easily. It’s not hard to do, if you know what you’re doing.”

115. Moreover, Defendants have established a federal policy of illegal domestic surveillance based on political viewpoint.

116. In connection with the President's June 26 Executive Order, DHS launched an expansive program of domestic surveillance. Pursuant to an internal unclassified DHS policy document, the DHS Office of Intelligence & Analysis has authorized its intelligence officers to surveil protestors if the agency determines that they pose "[t]hreats to damage or destroy any public monument, memorial, or statue," "regardless of whether such structures are situated on Federal property".

117. The DHS intelligence directive further indicates that DHS analysts can collect information about "individuals or groups" whom they "reasonabl[y] belie[ve]" threaten to damage or destroy any public monument, including "their tactics, techniques, or procedures," and "information that otherwise informs an overall assessment that threats to [monuments] will materialize."

118. In other words, Defendants are operating under a directive that minor property damage to a non-federal monument or statue—a "threat" the agency for the first time characterizes as a matter of homeland security—justifies as significant expansion of the sweep of the federal government's authority to collect intelligence about civilians.

119. Defendants have also enacted a federal policy of unlawfully monitoring, intimidating, and silencing protestors because of their message.

120. Defendants' statements, an internal DHS memorandum, and the conduct of federal officers on the ground are evidence of this policy.

121. In addition, the brutality that protestors in Portland have faced at the hands of federal agents is the result of an unlawful policy that Defendants have established to quell lawful protest and intimidate protestors.

122. Confirming this policy, Defendant Barr testified on July 28, 2020 that he believes chemical irritants are very important tools and that their use is warranted even if it harms peaceful protestors.

123. In fact, Defendants have used a number of means to intimidate and deter protestors because of their views and beliefs, including surveillance, the use of militarized and excessive force by unidentified agents, the deployment of tear gas, pepper balls, and lethal munitions into civilian crowds, and warrantless arrests and custodial detentions without probable cause.

124. In addition, protestors who have been arrested by federal agents in Portland have been asked to name their associates and fellow protestors and identify what associations with which they are affiliated.

125. Statements from the President, the White House, and other officials also reveal that the purpose of these federal policies is to quell speech and lawful assembly based on its viewpoint.

126. At a White House event on July 13, 2020, the President claimed that “[f]ar-left mayors are escalating the anti-cop crusade, and violent crime is spiraling in their cities.” He reiterated his plan to be “very strong on law enforcement” by sending federal officers to “liberally run” jurisdictions—“even if we have to go in and take over cities.”

127. In a Fox News interview on July 17, 2020, Kenneth Cuccinelli, who is the Senior Official Performing the Duties of the Deputy Secretary of Homeland Security, asserted that the President is determined “to help restore peace to these beleaguered cities.”

128. On July 20, 2020, Cuccinelli told CNN, “We will maintain our presence,” and admitted, “When that violence recedes and those threats recede, that is when we would ratchet back down to what I would call normal presence defending and protecting federal facilities.”

129. When the President and Defendants Wolf and Barr announced at their July 22, 2020 press conference that they would deploy a “surge” of federal agents to other cities, including Chicago, at no point did any of them or anyone else state that the federal policies discussed in this section would cease during the “surge” of officers being imminently deployed to Chicago.

**D. The Secret Police Have Been Deployed to Chicago**

130. Despite public outcry against these flagrant constitutional violations, the President has vowed to continue to use federal agents to mount a hostile takeover of U.S. cities.

131. The President has said that his efforts in Portland were designed to “help” that city and that Chicago, among other cities, is next.

132. These developments are unsurprising, given that on May 28, 2020, the President said that he would send the military to confront protesters and invoked

the racist phrase of a segregationist used to quell prior cries for racial equality:

“When the looting starts, the shooting starts.”

133. The President again made threats about deploying the National Guard to “dominate the streets” and using “thousands of heavily armed soldiers” against civilians.

134. On June 1, 2020, amid the protests in Washington, D.C., the President ordered police and National Guard troops to clear peaceful protestors from Lafayette Square and surrounding streets using tear gas and other weapons. This was done solely so that the President could walk from the White House to St. John’s Episcopal Church, so that he could hold a Bible for a photo-op.

135. Other federal appointees and officers have also made clear the Administration’s intention to replicate what is taking place in Portland elsewhere, including in Chicago.

136. Defendant Wolf announced that DHS was going to deploy agents to Chicago and would “do that whether they like us there or not.”

137. In an interview on July 19, 2020, the President called Chicago “stupidly run” and pledged to have “more federal law enforcement” in Chicago and other cities “all run by liberal Democrats.”

138. On July 22, 2020, the President held a news conference from the East Room of the White House confirming that there would be a “surge” of federal agents arriving imminently in Chicago.



139. During those remarks, the President was explicit that the federal law enforcement response is needed to address problems purportedly caused by the activities and demands of protestors, and that federal agents would help to restore order in Chicago.

140. In addition, neither the President, Defendant Barr, nor Defendant Wolf gave any assurance that the “hundreds” of federal agents flooding Chicago would leave protestors alone. At no time did they acknowledge that the federal government had overstepped in Portland. At no time did they agree that the federal law enforcement activities currently taking place in Portland would be limited to Portland.

141. On the contrary, the President and Defendants made clear that there would soon be an unchecked federal presence on the streets of Chicago, with the President describing federal authority “as wide as it can be.”

142. The President and Defendants repeatedly tied the decision to send federal law enforcement officers to Chicago to the actions of protestors, blaming protestors for violence in Chicago.

143. The President cited “a radical movement to defund, dismantle and dissolve our police departments” that “has led to a shocking explosion of shootings, killings, murders, and heinous crimes of violence.” He complained that local “politicians have now embraced the far-left movement to break up our police departments causing violent crime in their cities to spiral . . . seriously out of control.” He demanded that Americans “insist that community officials

fully support, fully back and fully fund their local police departments” and said federal law enforcement would remain until then. He repeated “[w]e will never defund the police, we will hire more great police” and “[w]hile others want to defund, defame and abolish the police, I want to support and honor our great police.”

144. Defendant Barr announced: “[W]e’re going to continue to confront mob violence,” and he claimed that “a significant increase in violent crime” is the “direct result of the attack on the police forces” and calls “for the defunding of police departments.”

145. All of this is consistent with the President’s numerous statements since the beginning of the nationwide protests that he intends to use federal agents to stop protestors.

146. For instance, the President tweeted: “Get tough Democrat Mayors and Governors. These people are ANARCHISTS. Call in our National Guard NOW. The World is watching and laughing at you and Sleepy Joe. Is this what America wants? NO!!!” This early suggestion that the National Guard was needed to quell actions of particular political groups or protestors with political leanings, such as “anarchists,” makes clear that the aim in calling in federal officers is to quell protests—not just those committing crimes against property.

147. The President has expressed his disdain for the viewpoints of the protestors: “Our great National Guard Troops who took care of the area around the White House could hardly believe how easy it was. “A walk in the park,” one said.

The protesters, agitators, anarchists (ANTIFA), and others, were handled VERY easily by the Guard, D.C. Police, & S.S. GREAT JOB!”

148. In addition, he repeatedly has expressed his view that Black Lives Matter is a hateful sentiment.

149. The President has indicated his intention to “dominate” protestors: “D.C. had no problems last night. Many arrests. Great job done by all. Overwhelming force. Domination. Likewise, Minneapolis was great (thank you President Trump!)”

150. The President has expressed satisfaction when protestors self-censor by staying home: “I have just given an order for our National Guard to start the process of withdrawing from Washington, D.C., now that everything is under perfect control. They will be going home, but can quickly return, if needed. Far fewer protesters showed up last night than anticipated!”

151. At President Trump’s rally at Mount Rushmore on July 4, 2020, he announced that he was “deploying federal law enforcement to protect our monuments, arrest the rioters, and prosecute offenders to the fullest extent of the law.”

152. In retweeting a thread which showed New York stores boarded up in anticipation of any violence following the continuation of nationwide protests, President Trump wrote: “The National Guard is ready!”

153. On July 27, 2020, the President referred to the protestors in Portland as “sick and deranged Anarchists & Agitators who our great men & women of Law

Enforcement easily control, but who would destroy our American cities, and worse, if Sleepy Joe Biden, the puppet of the Left, ever won. Markets would crash and cities would burn.”

154. In addition, he informed the governor of Oregon that “[s]he must clear out, and in some cases arrest, the Anarchists & Agitators in Portland,” or else “the Federal Government will do it for her. We will not be leaving until there is safety!”

155. The President’s response to the Black Lives Matter protests, and specifically his insistence that they be shut down, stands in sharp contrast to his response to anti-quarantine protestors earlier his year. When armed protestors objecting to COVID-19 quarantine measures rallied in the Michigan state house, the President called them “very good people” and urged Michigan Governor Gretchen Whitmer to “give a little” in response to the protestors’ objections.

### **III. CHICAGO IS UNABLE OR UNWILLING TO STOP UNLAWFUL FEDERAL INTERVENTION**

156. Chicago’s Mayor has publicly recognized the problems with the President’s secret police force, saying, “We don’t need federal agents without any insignia taking people off the streets and holding them, I think, unlawfully.”

157. The Mayor has also recognized that an “influx” of federal agents to Chicago is on its way.

158. In a July 20, 2020 letter to the President, Chicago’s Mayor stated that federal agents deployed to Chicago “that would not be within our control or within the direct command of the Chicago Police would spell disaster.”

159. Chicago is already saturated with federal law enforcement agents who conduct duly authorized law enforcement activities in Chicago and the region on a daily basis.

160. A further influx of such agents in lieu of investment in the communities most affected by gun violence, police violence, and racism is counterproductive, destructive, and a potentially violent disaster.

161. Contrary to her stated position, Chicago's Mayor has had discussions with federal authorities about the initial deployment of federal agents in Chicago, and on July 21, 2020, she confirmed that federal agents would be deployed to Chicago.

162. On or about July 22, 2020, Chicago's Mayor confirmed that she had spoken with the President about the deployment of federal agents to Chicago and reported "I think we have an understanding," without an indication of the extent to which Chicago has assented to the federal illegal policies set out above.

163. The assent of Chicago's Mayor to the surge of federal forces means that when the President sends federal agents to Chicago, as he did to Portland, the CPD and the City will be unable and unwilling to protect protestors from unlawful use of excessive force and arrests without probable cause.

#### **IV. PLAINTIFFS FEAR CONTINUING THEIR LAWFUL ACTIVITIES**

164. Given the City of Chicago's history of violence against peaceful protestors, and its recent violence against protestors, the addition of federal forces to illegally intimidate, police, and falsely arrest peaceful protestors will ignite

additional official violence against civilians and a serious constitutional crisis within the City of Chicago.

165. Indeed, recognizing these legitimate and imminent fears, State Representative Will Guzzardi, whose district covers the City of Chicago's northwest side, reports that his constituents are "terrified by the news" of impending federal agents, and that some have been dissuaded from protesting.

166. Plaintiffs have planned frequent protests and political actions into the foreseeable future, including next week. Examples of their recent activities on July 24, 25, and 26, 2020, include: a) a #LetUsBreathe rally at Freedom Square on Friday, July 24, 2020, across the street from the Homan Square, a police station notorious for disappearing people (sometimes in conjunction with Federal DEA or ATF agents); b) a protest organized by multiple organizations including Plaintiffs BLM Chicago and CDSA on Saturday, July 25, 2020 in Grant Park to support Black Lives; c) another protest also in Grant Park on Saturday, July 25, 2020 to call for the abolition of ICE.

167. NLG Chicago Legal Observers have observed over 50 demonstrations since the end of May 2020, when nationwide protests—sparked by the murders of George Floyd and Breonna Taylor—against systemic racism, inequality, and police violence began.

168. Plaintiff NLG Chicago seeks to protect the First Amendment rights of protestors by observing protests and obtaining information from protestors who are

arrested so that they can be tracked and provided pro bono or low-cost representation.

169. Plaintiff FDLA seeks to protect the First Amendment rights of protesters by observing protests and obtaining information from protesters who are arrested so that they can be tracked and provided pro bono or low-cost representation.

170. Plaintiff In These Times has documented and tracked hundreds of instances of violence, harassment and arrests directed toward journalists by members of law enforcement of local, state, and federal agencies throughout the country. Individual journalists employed by In These Times are aware of “less lethal” munitions being deployed by federal agents against journalists covering protests in Portland and instances where members of the Chicago Police Department have used physical force to prevent journalists from covering protests.

171. Plaintiffs are aware of the activities of federal law enforcement officers in Portland; specifically, they are aware that federal agents have kidnapped, falsely arrested, and brutalized protestors and NLG Legal Observers.

172. Plaintiffs are also aware that President Trump has deployed federal officers to Chicago imminently, and that the CPD intends to work with the federal agents.

173. Plaintiffs would like to continue exercising their First Amendment rights of speech, assembly, observing, and newsgathering, but they fear that federal agents will kidnap, falsely arrest, or physically abuse them.

174. Plaintiffs would also like to continue to engage in exercising their First Amendment rights without fear that federal agents will unlawfully surveil their activities or infringe on their right to associate with political, activist groups.

175. Plaintiffs would also like to continue to engage in exercising their First Amendment rights without fear that federal agents will unlawfully suppress or interfere with their protests.

176. Specifically, Plaintiff BLM Chicago has members who are not going to attend the protests and rallies planned for this weekend because they fear federal agents will kidnap, falsely arrest, or physically abuse them, as they did to protestors in Portland.

177. In addition, Plaintiffs have had to divert their financial resources and their time to address members' concerns that federal agents will be present at the planned protests.

178. For example, since the President's announcement on July 22, that federal agents would be sent to Chicago, OCAD has had to redirect their staff and financial resources from organizing for participation in peaceful protests in solidarity with BLM and dismantling systematic racism to preparing "Know Your Rights" flyers and information for distribution to respond to their members' concerns that they may encounter federal agents at the protests.

179. Similarly, NLG has had to redirect its resources from organizing legal observers for the protests to preparing and distributing "Know Your Rights"



information related to inquiries from protestors about possible encounters with federal agents present at protests.

180. Plaintiffs also fear that their speech and message is being hijacked and drowned out by a new focus on protesting the presence of federal agents in Chicago.

181. Plaintiffs are aware of the nightly clashes with federal agents and protestors in Portland at the Mark O. Hatfield Courthouse and how other groups have shifted the focus of the peaceful protests from the Black Lives Matter and anti-racist campaign to protesting simply the presence of federal agents in the City.

182. Plaintiffs' speech that has not been prevented or chilled, has been diluted and drowned out by Defendants' illegal policies outline in this complaint and their deployment of agents to Chicago.

183. Indeed, Defendants' actions to further the President's political agenda to demonstrate that he is strong on "law and order" and denigrate "liberal cities" in furtherance of his re-election campaign has resulted in not only interference with Plaintiffs' anti-racist message, but it has diluted and drowned out the speech that has persisted despite Defendants' efforts to stop it.

## LEGAL CLAIMS

### COUNT I

#### **Interference with Speech, Peaceful Assembly, and the Press In Violation of the First Amendment**

184. Plaintiffs incorporate by reference each of the paragraphs in this Complaint as if restated fully herein.

185. Individuals who peacefully gather on the streets of Chicago to protest have the right to gather, express themselves, and petition for redress of grievances under the First Amendment.

186. Members of the press and individuals have the right to gather, receive, record, and disseminate information and news under the First Amendment.

187. Defendants' actions are undertaken with the intent of discouraging and suppressing lawful protest and therefore constitute an illegal prior restraint on individuals' First Amendment right to peacefully protest racial inequality.

188. Many individuals who are reasonably afraid of being brutalized or picked up and shoved into unmarked vans by federal agents will feel compelled to stay away, for their own personal safety, and will therefore be unable to express themselves in the way that they have the right to do.

189. Many individuals also fear that they will be unlawfully surveilled by federal agents simply for participating in these peaceful protests.

190. Plaintiff has also had to redirect and divert their resources to addressing their members' concerns about the presence of federal agents at the protests.

191. Relatedly, since President Trump's July 22nd announcement of sending federal agents to Chicago, the purpose, message and participation of the protests in Chicago shifted from a unified focus on dismantling systemic racism to protestors speaking out against the deployment of federal agents in Chicago.

192. Prior to July 22, the protests had a sustained anti-racist, Black Lives Matter message and focus over the course of several months since the protests began in May.

193. In the manner described more fully above, Plaintiffs' First Amendment rights have been and are being infringed. Their exercise of their rights to speak, assemble, petition, and gather news is being chilled due to the well-founded fear that they will be brutalized or kidnapped by federal agents for no reason other than being a protestor, journalist, or legal observer on the streets and sidewalks of Chicago.

## COUNT II

### **Federal Policy of Conducting False Arrests In Violation of the Fourth Amendment**

194. Plaintiffs incorporate by reference each of the paragraphs of this Complaint as if restated fully herein.

195. The Fourth Amendment prohibits unreasonable seizures, and in particular prohibits federal officials from arresting a person without probable cause to believe that they have committed a federal crime.

196. In so doing, the Fourth Amendment also plainly prohibits "preemptive arrests" in anticipation of a possible violation of the law.

197. Defendants and the federal agents discussed in this complaint are operating pursuant to an official federal policy, approved by responsible federal agency heads with final policymaking authority, of conducting arrests of individuals

without probable cause to believe they have committed federal crimes, including “preemptive arrests” of peaceful protestors, journalists, and legal observers.

198. Federal agents’ conduct in other cities as described above, and in particular their false arrest of peaceful protestors and journalists, was caused by and pursuant to this unconstitutional federal policy.

199. No probable cause exists to believe that Plaintiffs, their members, or any other similarly situated protestors, legal observers, or journalists, has committed a federal crime. Plaintiffs’ anticipated participation in protests does not provide probable cause to believe that a person has committed a federal crime.

200. In the absence of an injunction, Defendants will arrest and seize individuals off the streets in Chicago without probable cause, in violation of the Fourth Amendment, pursuant to official federal policy.

### **COUNT III**

#### **28 U.S.C. § 2201 Declaration of Rights**

201. Plaintiffs incorporate each of the paragraphs of the complaint as if restated fully herein.

202. In a case of actual controversy within its jurisdiction, any court of the United States may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought, under 28 U.S.C. § 2201.

203. There is an actual controversy within the jurisdiction of this court, inasmuch as one or more federal defendants have engaged in actions endangering

Plaintiffs and others assembled on Chicago's streets. No federal authority has agreed to stop this practice.

204. Plaintiffs are entitled to a declaration that the acts at issue are unlawful, and an injunction precluding Defendants from continuing in them.

#### **COUNT IV**

#### **Conspiracy**

205. Plaintiffs incorporate each of the paragraphs of this complaint as if restated fully herein.

206. Defendants, acting in concert with other co-conspirators, known and unknown, reached an agreement among themselves to deprive Plaintiffs of their constitutional rights, all as described in the various paragraphs of this Complaint.

207. In so doing, these co-conspirators conspired to accomplish an unlawful purpose by unlawful means. In addition, these co-conspirators agreed among themselves to protect one another from liability for depriving Plaintiffs of these rights.

208. In furtherance of their conspiracy, each of these co-conspirators committed overt acts and were otherwise willful participants in joint activity.

209. The misconduct described herein was undertaken intentionally, in total disregard of Plaintiffs' constitutional rights.

## COUNT V

### Tenth Amendment

210. Plaintiffs incorporate each of the paragraphs of this complaint as if restated fully herein.

211. By conducting traditional law enforcement activities on the streets and sidewalks of Chicago, Defendants are encroaching upon powers explicitly reserved to the State of Illinois, and to Illinois's citizens, pursuant to the Tenth Amendment.

212. Defendants conduct such law enforcement activities under color of federal law.

213. Each Plaintiff has standing to bring this claim because each has suffered cognizable injuries that are redressable through injunctive relief, and the Tenth Amendment confers a substantive, personal right.

214. There is no adequate remedy under state law.

### PRAYER FOR RELIEF

Wherefore, Plaintiffs pray for a judgment and the following relief:

1. A declaration, pursuant to 28 U.S.C. § 2201, that the federal actions described in this complaint restrain Plaintiffs' ability to assemble in peaceful protest, observing, and news gathering, in violation of the First Amendment;

2. A declaration, pursuant to 28 U.S.C. § 2201, that the federal actions described in this complaint constitute a federal unlawful policy of committing arrests without probable cause, in violation of the Fourth Amendment;

3. A declaration, pursuant to 28 U.S.C. § 2201, that the federal actions described in this complaint present an imminent threat that Plaintiffs will be arrested without probable cause, by unidentified federal agents, in violation of the Fourth Amendment; and

4. An injunction, pursuant to 28 U.S.C. § 2202 and 5 U.S.C. § 702, permanently enjoining the Defendants from engaging in the federal actions described in this complaint, and specifically requiring that the Defendants and their officers and agents:

- a. Refrain from interfering in or otherwise policing lawful and peaceful assemblies and protests in the City of Chicago;
- b. Cease enforcement of their unlawful policy of conducting arrests without probable cause to believe a federal crime has been committed and conducting “preemptive arrests”;
- c. Refrain from arresting individuals in the City of Chicago without probable cause to believe that a federal crime has been committed;
- d. Identify themselves and their agency before detaining or arresting any person off the streets of Chicago;
- e. Explain to any person detained or arrested that the person is being detained or arrested and explain the basis for that action; and
- f. Any other relief this Court deems proper.

Respectfully submitted,

**BLACK LIVES MATTER  
CHICAGO, *et al.***

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**Attachments:** OK vs Barr.pdf

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*Chief Inspector / Commander*

*Pacific SW Regional Fugitive Task Force*

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE CITY OF PORTLAND AND THE CITY  
OF OAKLAND,

Plaintiffs,

v.

WILLIAM BARR, in his official capacity as  
United States Attorney General; UNITED  
STATES DEPARTMENT OF JUSTICE;  
CHAD F. WOLF, in his official capacity as  
Acting Secretary of Homeland Security; and  
UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY,

Defendants.

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Civil Action No. 20-cv-7184

**COMPLAINT FOR  
DECLARATORY AND  
INJUNCTIVE RELIEF**

**[Administrative Procedure Act Case]**

**INTRODUCTION**

1  
2           1.       This lawsuit challenges the unlawful and unconstitutional overreach of federal law  
3 enforcement in response to and in anticipation of civil protests in progressive United States cities.  
4 In particular, the lawsuit challenges the federal government’s new policy authorizing the expanded  
5 and unbounded jurisdiction of federal law enforcement under the guise of protecting federal  
6 property, and the federal government’s related and unconstitutional practice of commandeering  
7 local law enforcement officers for similar ends.

8           2.       Plaintiffs are the cities of Portland, Oregon, and Oakland, California—cities that,  
9 like others across the United States, have primary responsibility for the health, safety, and welfare  
10 of their residents, including the protection and oversight of general public safety during protests.  
11 Plaintiffs have police departments, fire departments, and other local governmental departments  
12 whose purposes and responsibilities are to reduce and address violence and/or support public safety  
13 in their communities. In conducting these important functions, Plaintiffs aim to respect, honor, and  
14 protect the First Amendment rights, among other rights, of their residents and visitors, so that those  
15 residents and visitors can demonstrate, march, and protest. Plaintiffs also have obligations under  
16 local and state law to respond, as necessary, to threats of violence and community harm. Outside  
17 of the exceptional actions taken by Defendants as described in this Complaint, Plaintiffs have long  
18 operated with this understanding of their duties and authority.

19           3.       Defendants are the Department of Justice (“DOJ”) and the United States  
20 Department of Homeland Security (“DHS”), and the leaders of both departments. In response to  
21 directives from President Donald J. Trump beginning in or around June 2020, Defendants  
22 unilaterally, unlawfully, and unconstitutionally began instituting a policy that authorized the  
23 deployment and operation of federal agents in United States cities, allegedly for the purpose of  
24 assuring domestic “law and order” and “tak[ing] over cities.”

25           4.       The full scope and parameters of the policy authorizing these actions are currently  
26 unknown, as no ordinary public process was followed in its creation. However, for the first known  
27 time, Defendants are using 40 U.S.C. § 1315—a statute which authorizes federal agents to protect  
28 *federal* property and personnel—as the basis for, at a minimum: (a) deploying federal law

1 enforcement to quash civil protests in United States cities; (b) authorizing the engagement,  
2 surveillance, and operations of these deployments to include non-federal property and virtually  
3 limitless jurisdiction; and (c) erecting a fence around the Hatfield Federal Courthouse in Portland,  
4 without a permit or City consent, that encroaches on the City's right-of-way (the "Policy").

5 5. Using that authority or other, unknown authorities, Defendants have also instituted  
6 an unlawful practice in Portland of commandeering control of local law enforcement officers in  
7 direct contravention of the City's express revocation of consent, and for unknown or pretextual  
8 ends (the "Practice").

9 6. Based on information and belief, the Policy is a response to, incorporates, and/or is  
10 guided by, the June 26, 2020 Executive Order 13933, *Protecting American Monuments,*  
11 *Memorials, and Statues and Combating Recent Criminal Violence* (the "Executive Order"), signed  
12 by President Trump following nationwide protests—quite possibly the largest social justice  
13 protests in our nation's history—over police brutality and systemic racism. The Executive Order  
14 prescribes a set of directives aimed at punishing and responding to "State and local governments"  
15 that had allegedly "lost the ability to distinguish between the lawful exercise of rights to free speech  
16 and assembly and unvarnished vandalism," or otherwise "failed to protect public monuments,  
17 memorials, and statues."

18 7. Based on information and belief, the Practice is similarly in response to,  
19 incorporates, and/or is guided by, the Executive Order.

20 8. Armed with this Executive Order, Defendants instituted and/or continued refining  
21 and executing the Policy, which concerns the broad deployment and operation of federal law  
22 enforcement in United States cities without the consent, request, or authorization from the states  
23 or local leaders; without using any known and non-pretextual legal authority to do so; and with the  
24 purpose and/or effect of taking on quintessential general policing powers granted to other  
25 governments.

26 9. Federal law enforcement agents have, under the Policy, been deployed to United  
27 States cities, either secretly or with little warning, under at least three separate operations or  
28

1 programs: Operation Legend; Operation Diligent Valor, which includes the recent deployment of  
2 agents in Portland, Oregon; and the Protecting American Communities Task Force (“PACT”).

3 10. Although Defendants and/or their agents or employees have publicly claimed that  
4 certain operations are for the purpose of protecting federal property under 40 U.S.C. § 1315,  
5 internal memoranda, continuing public statements, and activities in cities such as Portland instead  
6 reveal a distinct and meaningful policy shift to use federal law enforcement to unilaterally step in  
7 or replace local law enforcement departments that do not subscribe to the President’s view of  
8 domestic “law and order.”

9 11. Among other things, reported non-public memos from DHS reveal that, under the  
10 Policy and in response to the Executive Order, federal law enforcement agents are now authorized  
11 to engage in surveillance activities for threats to *any* public monument, memorial, or statue—  
12 which in major cities like Plaintiff jurisdictions, could constitute surveillance within the *entire*  
13 jurisdiction regardless of federal interests or harms at stake.

14 12. In addition, DOJ and/or DHS have engaged in a variety of unauthorized activities  
15 under the Policy. Such activities in Portland have included surveilling the text messages of  
16 protesters and building a fence that blocks the right-of-way on City property and refusing to  
17 remove it upon request of City officials.

18 13. Defendants, as well as President Trump, have expressed an intent to expand or at  
19 least continue the Policy. President Trump has stated: “We’re going to have more federal law  
20 enforcement. That I can tell you.”—while threatening to send federal agents into major cities “run  
21 by liberal Democrats.” For instance, he said: “We’re not going to let New York and Chicago, and  
22 Philadelphia and Detroit and Baltimore and all of these—Oakland is a mess. We’re not going to  
23 let this happen in our country.”

24 14. These threats are not new. President Trump has long threatened American cities led  
25 by Democrats. But as recently as April 2020, Defendants did not purport to have, or act in  
26 accordance with, the authority they now assert under the Policy. In April, numerous public  
27 monuments, memorials, and statues were equally or more under threat from armed and uncivil  
28 protesters who opposed public health measures to control COVID-19. But those protesters

1 expressed a different set of political views than the majority of those protesting after May 25, 2020,  
2 and no policy was then in effect to allow or require the type of federal operations now occurring  
3 or allowed to occur under the Policy.

4 15. The Policy threatens to upend the current federalism structure and working  
5 relationships between local and federal law enforcement agencies. Section 1315 has never before  
6 been interpreted to permit the actions taken by Defendants under its auspices.

7 16. Defendants have not and did not publicly rely on any of the limited authorities, as  
8 described below, that would lawfully allow deployments of federal agents within the parameters  
9 defined in such laws.

10 17. The Policy is not merely a change in Defendants' interpretation of their own  
11 enforcement authority. The Policy is based on a misunderstanding, misinterpretation, error, and/or  
12 disregard for the scope of Defendants' legal authority.

13 18. In addition, no constitutional authority has been offered for the related Practice of  
14 commandeering Portland's law enforcement by refusing to release Portland law enforcement  
15 officers from their temporary deputation as federal agents, conscripting them without consent and  
16 against Portland's express wishes into ongoing deputation.

17 19. This monumental policy change and new commandeering practice harms Plaintiffs'  
18 and other cities' abilities to safely govern and police in ways aligned with and responsive to  
19 community goals and racial equity reforms. As local governments, Plaintiffs have independent  
20 police forces; community relationships; and locally-determined policing policies, practices, and  
21 procedures. Plaintiffs' police forces have always been able to expect when and how federal law  
22 enforcement agents could assert federal powers within their jurisdictions. The use of deployments  
23 and operations violating established constitutional parameters, politically motivated interventions,  
24 and lawless commandeering of local law enforcement are unconstitutional and unauthorized in  
25 part because of the havoc such actions impose on local jurisdictions and the innumerable ways in  
26 which these deployments run roughshod over the longstanding federalist balance of the general  
27 policing power.

28



1 Portland is home to more than 650,000 residents, and the City's leadership has committed to  
2 significant reforms to local policing and other policies, with an aim toward promoting racial  
3 justice.

4 29. The CITY of OAKLAND is a municipal corporation and charter city located in the  
5 Northern District of California, organized and existing under and by virtue of the laws of the State  
6 of California. The City of Oakland is home to over 420,000 people and consistently ranks as one  
7 of the most ethnically and racially diverse major cities in the United States. Approximately 23%  
8 of Oakland's residents identify as Black or African American, 26% as Hispanic or Latinx, 15% as  
9 Asian or Asian-American, and 5.5% as multi-racial. The City's leadership is engaged in significant  
10 reforms to local policing and other policies, with an aim toward promoting racial justice.

11 30. Plaintiffs are aggrieved by Defendants' actions and have standing to bring this  
12 action because the Policy and its implementation and the Practice harm Plaintiffs' independent and  
13 constitutionally recognized economic, dignitary, and proprietary interests and will continue to  
14 cause injury unless and until the Policy is vacated and Defendants' practices are permanently  
15 enjoined.

16 31. WILLIAM BARR is the United States Attorney General. He is sued in his official  
17 capacity.

18 32. The UNITED STATES DEPARTMENT OF JUSTICE is a cabinet agency within  
19 the executive branch of the United States government and is an agency within the meaning of 5  
20 U.S.C. § 552(f).

21 33. CHAD F. WOLF is the purported Acting Secretary of Homeland Security. He is  
22 sued in his official capacity.

23 34. The UNITED STATES DEPARTMENT OF HOMELAND SECURITY is a  
24 cabinet agency within the executive branch of the United States government and is an agency  
25 within the meaning of 5 U.S.C. § 552(f). Its stated missions involve anti-terrorism, border security,  
26 immigration and customs. It was created in 2002 by combining 22 different federal departments  
27 and agencies into a single Cabinet agency.

28



**FACTUAL ALLEGATIONS**

**Background**

35. Adherence to the Constitution is the bedrock of American democracy. Regardless of any changes to the interpretation of the Constitution over time, certain structures endure.

36. One such foundational structure is the separation of federal powers: the division of authority and responsibility that guides all legal action taken in the United States. Under the separation of powers, the Congress makes law, the Executive Branch implements that law, and the Judiciary assesses the legality of those laws and actions.

37. Another foundational structure is federalism: the division or sharing of legal power between the national government and other government units, including states, counties, cities, parishes, commonwealths, territories, and tribal governments (hereafter “other governments”). Other governments, including cities, “ensure[] that powers which ‘in the ordinary course of affairs, concern the lives, liberties, and properties of the people’ [are] held by governments more local and more accountable than a distant federal bureaucracy.” *Nat’l Fed’n of Indep. Bus. v. Sebelius*, 567 U.S. 519, 536 (2012) (quoting *The Federalist* No. 45 at 293 (J. Madison)).

38. A federalist system’s division of power evolves, but in expected ways, such as through Congress passing new laws to further regulate other governments, or other governments using the courts to push back on laws or rules made by the Congress or the Executive Branch.

39. Within this federalism framework and under the Tenth Amendment to the United States Constitution, the general police powers are left to the states, who in turn often delegate such plenary authority to cities like Plaintiffs. *See, e.g.*, Cal. Const., art. 11, § 7; Or. Const., art XI, § 2. As the Supreme Court has long held, “the facets of governing that touch on citizens’ daily lives are normally administered by smaller governments closer to the governed.” *Nat’l Fed’n of Indep. Bus.*, 567 U.S. at 536.

40. Accordingly, the federal government has never created a federal domestic police force with broad powers. The general policing power, including over most violent crime, is left to other governments. As courts have repeatedly held, “We can think of no better example of the police power, which the Founders denied the National Government and reposed in the States, than

1 the suppression of violent crime and vindication of its victims.” *United States v. Morrison*, 529  
2 U.S. 598, 618 (2000).

3 41. Instead, where Congress has authorized, the Executive Branch has executed, and  
4 the Judiciary approved, the federal government has created a constellation of different law  
5 enforcement agencies, each of which has a specific domain of authority as defined by federal  
6 statutes. For the most part, those domains of authority are not coextensive with other governments’  
7 general policing power.

8 42. Within the scope of those federal statutes, such federal law enforcement activities  
9 have been limited to: (a) the enforcement of a direct federal interest (*e.g.*, enforcement of a federal  
10 law); or (b) assisting other governments, which constitutes the enforcement of an indirect federal  
11 interest.

12 43. Whether enforcing a direct federal interest or assisting other governments, federal  
13 law enforcement acts within prescribed legal bounds. Either federal law enforcement is invited by  
14 other governments to participate in any number of lawful collaborative activities or federal law  
15 enforcement may intervene without invitation in the circumstances where federal law permits.

16 44. In the former category of invited collaboration, Plaintiffs have, like many other  
17 cities, frequently engaged in lawful partnerships with federal law enforcement. From subject-  
18 specific task forces to investigating borderless crimes, other governments often depend on and  
19 engage with federal law enforcement to help protect residents and visitors. Plaintiffs have, for  
20 example, partnered with the Federal Bureau of Investigation on child exploitation task forces; with  
21 the Drug Enforcement Administration to combat illegal drug trafficking; with the Bureau of  
22 Alcohol, Tobacco, Firearms and Explosives to proactively identify the source of guns used for  
23 crimes; with the United States Marshals Service (“USMS”) to apprehend those fleeing the justice  
24 system; and with the United States Secret Service to tackle identity theft.

25 45. These past and present local-federal relationships are voluntary and consensual.  
26 Federal law enforcement and local law enforcement agencies generally work together in Plaintiffs’  
27 communities with a mutual understanding of the mission, clear directives regarding jurisdictional  
28 functions, and specific agreements (*e.g.*, via Memoranda of Understanding or Agreement) that

1 inform both sides of their respective obligations. Such partnerships were and are authorized by  
2 law, typically memorialized by mutual agreement, and not the subject of this lawsuit.

3 46. In the latter category of uninvited intervention, the federal government has certain  
4 powers that are superior to those of other governments, made so by the Supremacy Clause.

5 47. Such powers include federal enforcement of crucial fundamental federal rights,  
6 including civil rights. Throughout the nation's history, federal enforcement authorities have at  
7 times overridden other governments' ignorant or bigoted refusals to grant or defend  
8 constitutionally protected rights. Whether desegregating schools or extending the voting franchise  
9 to Black people, federal enforcement—without invitation or local approval—has been at times  
10 both lawful and vital.

11 48. Such intervention powers may also, in extraordinary circumstances, permit the  
12 deployment of federal forces domestically, in which federal law enforcement temporarily takes  
13 over the general police powers otherwise reserved to other governments. Such circumstances are  
14 constitutionally delineated by Article I, Section 8, one of the Militia Clauses (allowing Congress  
15 to “call[] forth the Militia to execute the Laws of the Union”) and by Article IV, Section 4 (the  
16 obligation to protect the states against invasion and against “domestic violence”).

17 49. The Constitution reserves both of those described powers for the Legislative  
18 Branch, either exclusively or principally. The cited Militia Clause only gives power to Congress.  
19 The Article IV Republican Form of Government Clause gives power first to the Legislature, and  
20 then only to the Executive “when the Legislature cannot be convened.”

21 50. Under these authorities, Congress has, among other things, passed the Insurrection  
22 Act of 1807, now codified as amended at 10 U.S.C. §§ 251-255, which allows domestic military  
23 intervention when circumstances make it impracticable to enforce the law by any other means, and  
24 the complementary Posse Comitatus Act of 1876, now codified at 18 U.S.C. § 1385, eliminating  
25 virtually any use of the military to regulate American civilians.

26 51. These laws represent some key legal guardrails constitutionally implemented by  
27 the Legislative Branch to limit and define where the Executive Branch may, without permission  
28 and while overriding other governments' prerogatives, nonetheless enforce federal law.

1           52.     Specifically, the Insurrection Act empowers the President to call into service the  
2 United States Armed Forces and the National Guard: (a) when formally requested by a state; (b)  
3 to address an insurrection in any state, when that insurrection makes it impracticable to otherwise  
4 enforce the law; or (c) to address an insurrection, domestic violence, unlawful combination or  
5 conspiracy, in any state, which results in the deprivation of constitutionally secured rights, and  
6 where the state is unable, fails, or refuses to protect those rights. 10 U.S.C. §§ 251-253.

7           53.     There is a set legal process for invoking the Insurrection Act that is neither  
8 clandestine nor equivocal. To invoke the Act, a president must issue a “proclamation to disperse”:  
9 that is, “by proclamation, immediately order the insurgents to disperse and retire peaceably to their  
10 abodes within a limited time.” 10 U.S.C. § 254. Such proclamations have been issued as Executive  
11 Orders and/or as Proclamations published in the Federal Register.

12           54.     The Insurrection Act has never been invoked in the 21st century. In its limited usage  
13 in the 20th century, the federal government often invoked the Act to protect civil rights,  
14 particularly the rights of Black children to attend desegregated schools.

15           55.     When the Act was most recently invoked, in 1992, then-President George H.W.  
16 Bush issued a general Proclamation and an operationalizing Executive Order. *See* Proclamation  
17 No. 6427, 57 Fed. Reg. 19,359 (May 1, 1992); Exec. Order No. 12804, 57 Fed. Reg. 19,361 (May  
18 1, 1992). Executive Order 12804 provided detailed instructions for Cabinet officials to respond to  
19 the alleged insurrection in California. Among other things, it directed the Attorney General: “(1)  
20 to coordinate the activities of all Federal agencies assisting in the suppression of violence and in  
21 the administration of justice in and about the City and County of Los Angeles, and other districts  
22 of California, and (2) to coordinate the activities of all such agencies with those of State and local  
23 agencies similarly engaged.”

24           56.     DOJ and Defendant Barr are aware of the legal process for invoking the  
25 Insurrection Act. As an agency, DOJ has typically been involved when the Insurrection Act is  
26 invoked. As an individual, Defendant Barr was serving in an official capacity as Attorney General  
27 in 1992.

28

1           57.     The Executive Branch’s authority under the Act, or under other such extraordinary  
2 emergency powers, does not undergird the Policy.

3           58.     Any invocations of emergency powers or interventions under those powers are rare,  
4 reserved for extraordinary circumstances, and are not the subject of this lawsuit.

5           59.     Finally, Executive Branch agencies, endowed by Congress or the Constitution with  
6 particular powers, must, per Article II, Section 3, “take care” to execute their duties under those  
7 authorities. Sometimes, those authorities are clearly defined by statute or a provision of the  
8 Constitution. At other times, those authorities are further crystalized and concretized by Executive  
9 Branch interpretations of the authority so granted. Those interpretations come in forms such as  
10 regulations, rules, and myriad types of sub-regulatory guidance.

11           60.     The legality of such Executive Branch interpretations of its authority is easily  
12 tested, commonly through the APA, which governs how the Executive Branch creates and acts on  
13 those interpretations, and what those interpretations are. Stated simply, the APA is a key method  
14 by which the Judiciary may assess the legality of the Executive Branch’s interpretation of its  
15 powers, including whether such interpretations are “arbitrary and capricious,” “contrary to  
16 constitutional right[s],” or “in excess of statutory authority.” 5 U.S.C. § 706.

17           61.     Such Executive Branch interpretations of its authority may also be tested through  
18 other legal means, such as by questioning their constitutionality directly in federal court.

19           62.     Such Executive Branch interpretations are or may be the subject of this lawsuit.

20           63.     As these recitations reflect, the federal government has lawful tools to intervene—  
21 voluntarily or involuntarily—in other governments’ exercise of their police powers. These  
22 recitations also reflect that those tools are either used with mutual agreement, or without agreement  
23 in circumstances, such as those enumerated, rooted in the Constitution. Finally, these recitations  
24 reflect that the federal government follows lawful and expected paths to exercise authority over  
25 other governments.

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1 **Policy Change Regarding Deployment and Operation of Federal Forces**

2 64. Consistent with the above framework, until recently, Plaintiffs believed that they  
3 understood the structure, procedures, and basis for both the invited and the uninvited deployment  
4 and operations of federal law enforcement agents into their communities.

5 65. However, in recent months, following the direction of President Trump, Defendants  
6 have instituted this new Policy, whose full parameters are unknown, but that, at minimum,  
7 unlawfully expands the unilateral deployment and operations of federal law enforcement to quell  
8 protests and broadly assert general police powers.

9 66. The Policy and each and every instance where Defendants, through their officers,  
10 employees, and/or agents, unlawfully deployed or commanded federal law enforcement to act in  
11 excess of or contrary to 40 U.S.C. § 1315 or the Constitution constitutes “final agency action”  
12 under the APA.

13 **Prior Status Quo**

14 67. President Trump has long issued threats against cities he views as progressive or  
15 racially diverse, including Plaintiffs. In 2017, he threatened to “send in the feds” to Chicago if  
16 their mayor did not fix the “carnage,” and compared the city unfavorably to Afghanistan. In 2019,  
17 in describing Los Angeles, New York, and San Francisco, he referred to these “sanctuary cities  
18 run by liberal people” as places where “people living there are living in hell,” and threatened that  
19 he might “intercede” or “may do something to get that whole thing cleaned up.” In 2020, he  
20 repeatedly threatened Plaintiffs Portland and Oakland.

21 68. Separately, since President Trump took office, Americans have engaged in some of  
22 the largest protests in our nation’s history. The day after his inauguration, between 3.2 million and  
23 5.2 million people marched in the streets to protest for women’s rights and against the President.  
24 Hundreds of thousands protested again for the same reason on the same day in the following years.  
25 Since January 2017, millions of people have participated in protests across the country, including  
26 protests at federal property, monuments, memorials, and statues, as well as at state and local  
27 property, monuments, memorials, and statues.

28

1           69.     Despite President Trump’s repeated threats, and despite thousands of protests by  
2 millions of Americans, Defendants never previously asserted or exercised the authority they are  
3 now asserting and exercising under the Policy, nor, on information and belief, engaged in the  
4 related Practice.

5           70.     An alleged source of the authority for the Policy is 40 U.S.C. § 1315. Under  
6 subsection (a) of that statute, the Secretary of Homeland Security protects the buildings, grounds,  
7 and property that are owned, occupied, or secured by the federal government.

8           71.     Although the Federal Protective Service (“FPS”), a division of DHS, is typically  
9 the main provider of security and law enforcement services at federal government facilities, the  
10 Secretary of Homeland Security may transfer DHS officers or agents specifically “for duty in  
11 connection with the protection of” that federal property. 40 U.S.C. § 1315(b)(1).

12           72.     The scope of 40 U.S.C. § 1315 is clear. The statute states that the Secretary of  
13 Homeland Security: “shall protect the buildings, grounds, and property that are owned, occupied,  
14 or secured by the Federal Government (including any agency, instrumentality, or wholly owned  
15 or mixed-ownership corporation thereof) and the persons on the property.” *Id.* § 1315(a).

16           73.     The authority granted off federal property is limited—section 1315 only allows  
17 designated employees to perform authorized duties outside of federal property “to the extent  
18 necessary to protect the property and persons on the property.” *Id.* § 1315(b)(1). Further, in the  
19 statute’s six specifically enumerated powers, only one power, § 1315(b)(2)(E), allows for activity  
20 “on and off the property in question.” Per the canon of *expressio unius est exclusio alterius*,  
21 including that these powers extend “on and off” federal property in one subsection implies that the  
22 five other enumerated powers do not likewise extend “on and off” the property, unless they are to  
23 advance the specific goal articulated in subsection (b)(1).

24           74.     Outside of federal property, the Secretary of Homeland Security *may enter into*  
25 *agreements* with federal agencies and with state and local governments for officers and agents  
26 designated under section 1315 “to enforce Federal laws and State and local laws concurrently with  
27 other Federal law enforcement officers and with State and local law enforcement officers.” *Id.*  
28 § 1315(e). Similarly, the Secretary “may utilize the facilities and services of Federal, State, and

1 local law enforcement agencies, *with the consent of the agencies.*” *Id.* § 1315(d)(3)(emphasis  
2 added).

3 75. Based on information and belief and on publicly available facts such as those  
4 recited here, until as recently as May 2020, there had been no policy or practice through which  
5 Defendants unilaterally deployed or commanded federal law enforcement under 40 U.S.C. § 1315  
6 for general police purposes; to respond to or quash civil protests; to protect and surveil non-federal  
7 property, monuments, memorials, or statues; or to unilaterally take over non-federal property.

8 76. For example, as recently as April 2020, hundreds of protestors gathered at the  
9 Michigan State Capitol in Lansing to protest executive orders and shelter-in-place orders in light  
10 of the COVID-19 pandemic.

11 77. The Michigan State Capitol was completed in 1878, has been listed on the National  
12 Register of Historic Places since 1971, and was designated as a National Historic Landmark in  
13 1992. The Capitol and its grounds contain at least one monument, three memorials, and several  
14 statues. The Capitol is 0.1 miles from the Charles E. Chamberlain Federal Building and Post  
15 Office.

16 78. During these so-called “lockdown protests,” many protestors openly carried  
17 firearms in or around the Capitol, forcibly entered the Michigan State Capitol, issued threats  
18 against Michigan Governor Gretchen Whitmer, and verbally assaulted Michigan state police.

19 79. As another example, as recently as May 2020, hundreds of protestors gathered at  
20 the California State Capitol in Sacramento to protest executive orders and shelter-in-place orders  
21 in light of the COVID-19 pandemic.

22 80. The California State Capitol was completed in 1874, has been listed on the National  
23 Register of Historic Places since 1973, and was designated as a California Historical Landmark in  
24 1974. The Capitol and its park are home to numerous monuments, memorials, and statues,  
25 including the World Peace Rose Garden, the California Peace Officers’ Memorial, the Vietnam  
26 Veterans Memorial, and the Thomas Starr King Memorial. The Capitol is one mile from the local  
27 federal courthouse and under one mile from the local DHS office.

28



1           81. During these so-called “lockdown protests,” protesters gathered at the Capitol in  
2 violation of stay-at-home orders, confronted California Highway Patrol officers, and displayed  
3 depictions of California Governor Gavin Newsom as a Nazi in front of a Swastika banner.

4           82. In April and May, protestors also gathered outside the State Capitol in Salem,  
5 Oregon. At least one protestor appears to be open carrying a rifle in news footage. Members of the  
6 far-right militia groups the “Three Percenters” and “Proud Boys” also attended the protests.  
7 Several of the protests were allegedly organized by militia groups in violation of Oregon Governor  
8 Kate Brown’s stay-at-home orders.

9           83. Based on information and belief, federal law enforcement officers were not  
10 deployed in response to any of these so-called “lockdown protests”; not to surveil the protestors  
11 or public officials; not to assess threats to public buildings, monuments, memorials, or statues; not  
12 to protect against civil unrest; and not to otherwise engage in general policing.

13 **Existing Framework for Local Law Enforcement Mutual Aid or Cross Designation with Other**  
14 **Government Agencies**

15           84. As described above, there are numerous examples of how local law enforcement,  
16 including Plaintiffs’ police departments, collaborate with or receive assistance from other law  
17 enforcement agencies, including federal law enforcement agencies such as Defendants and their  
18 subcomponents.

19           85. Coordinating with local law enforcement has, outside of the Policy and Practice,  
20 been fundamental to how federal law enforcement agencies interact with their local counterparts.

21           86. Even in circumstances where the local jurisdiction has policies that are directly in  
22 opposition to the federal law enforcement agency’s activities, the federal agencies, including  
23 Defendants, have nonetheless coordinated with local agencies in some fashion, given the  
24 longstanding recognition of the importance of such coordination.

25           87. For example, 28 C.F.R. § 0.112 governs special deputation powers of the USMS,  
26 which is a bureau within DOJ. Pursuant to this section, the USMS Director is authorized to  
27 deputize, in relevant part, “[s]elected federal, state, or local law enforcement officers whenever the  
28 law enforcement needs of the U.S. Marshals Service so require.” 28 C.F.R. § 0.112(b).

1           88.     The duties of the USMS include protecting the federal judiciary, apprehending  
2 federal fugitives, managing and selling seized assets illegally acquired by criminals, housing and  
3 transporting federal prisoners, and operating the Witness Security Program.

4           89.     Separately, Plaintiffs have also long entered into and relied on “mutual aid”  
5 agreements with fellow local governments, such as other city and county governments. These  
6 mutual aid agreements set forth the circumstances under which mutual aid partners will come to  
7 the assistance of a member of the agreement. For example, Oakland has requested assistance from  
8 its mutual aid partners, such as Alameda County and surrounding cities, in responding to natural  
9 disasters or to certain violent “Occupy” protests a decade ago. It is not uncommon for mutual aid  
10 partners to request dozens or even hundreds of officers to assist with significant needs. Indeed, in  
11 response to the recent demonstrations, Portland has sought and received mutual aid from numerous  
12 other local law enforcement agencies.

13           90.     No matter the originating source of the mutual aid, Plaintiffs’ police departments  
14 follow specific procedures when any outside law enforcement participate in their operations, or  
15 when outside law enforcement perform operations in their cities.

16           91.     Those procedures typically include that, when any outside law enforcement agency  
17 comes to assist Plaintiffs’ police departments, those outside agents or officers first check in at the  
18 local staging center or emergency operations center, learn of the operation plan, and are connected  
19 in some manner to the department’s communications systems. These universal steps are designed  
20 to protect all law enforcement officers and ensure they are operating with similar information and  
21 shared means of communication.

22     **Nationwide Protests for Racial Justice and Police Reform**

23           92.     On May 25, 2020, George Floyd was tragically killed by Minneapolis police and a  
24 video of his death was widely circulated in the media. On May 26, 2020, people gathered in  
25 Minneapolis in protest. Shortly thereafter, people gathered throughout the nation, including in  
26 Plaintiffs’ jurisdictions, to advocate for police reform and racial justice.

1           93.     Polls have suggested that between 15 million and 26 million people participated in  
2 these protests, making them the largest demonstrations in American history. Between May 22 and  
3 August 22, approximately 93% of protests were peaceful.

4           94.     Incidents of property damage and violence, however, were reported in many  
5 jurisdictions in the country. Incidents of property damage occurred in suburban California, and  
6 armed civilians and other non-state actors committed acts of violence in states including Florida,  
7 Indiana, and Tennessee.

8           95.     People began to gather in Downtown Portland on or around May 29, 2020,  
9 including at an event titled “A Eulogy for Black America” organized by the Portland chapter of  
10 the NAACP.

11           96.     On May 29, 2020, Portland Mayor Ted Wheeler issued a statement that he stood  
12 “in solidarity with those who grieve for the senseless death of George Floyd” and committed to  
13 standing alongside “our black community and not just call out racism when we see it, but  
14 meaningfully take a stand against it.”

15           97.     In Portland, protests continued in June. The first few days of June were identified  
16 as having the largest crowds of the Portland George Floyd protests, with numbers exceeding  
17 10,000 people each day. During this time, a much smaller group of people engaged in significant  
18 property damage and violence directed at police. Notwithstanding some criminal activity, the  
19 majority of the protests remained peaceful, and toward the end of June, the scale of protests began  
20 to decrease. The focal points of protests during June were the Justice Center (which houses the  
21 Portland Police Bureau’s (“PPB’s”) Central Precinct and primary offices, as well as the  
22 Multnomah County Detention Center) and other PPB and Multnomah County buildings.

23           98.     At this time, President Trump continued his past practice of frequent and repeated  
24 threats to deploy uninvited federal law enforcement and/or military power to progressive cities.

25           99.     Protests continued nationally throughout June 2020, along with the President’s  
26 threatening rhetoric.

27 //

28 //

1 **President Trump Issues the Executive Order; Defendants Institute the Policy**

2 100. On June 26, 2020, President Trump signed Executive Order 13933, entitled  
3 *Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal*  
4 *Violence.*

5 101. The Executive Order announced that the federal government would: (a) prosecute  
6 anyone vandalizing or desecrating public monuments, memorials, and statues; government  
7 property; or religious property; (b) prosecute anyone inciting related violence; and (c) withhold  
8 federal support from local and state governments that failed to protect such structures from  
9 vandalism.

10 102. The Executive Order further stated that if the Secretary of the Interior, the Secretary  
11 of Homeland Security, or the Administrator of General Services requested federal personnel “to  
12 assist with the protection of Federal monuments, memorials, statues, or property,” they shall be  
13 provided by the Department of Defense, DOJ, and/or DHS.

14 103. Defendants rapidly began to implement this Executive Order, in light of the  
15 President’s perceived motivation of quelling protests, targeting Democratic cities, and establishing  
16 broad federal police presence in certain cities.

17 104. Based on information and belief, such implementation constitutes all of or is a  
18 substantial part of the Policy.

19 105. First, on July 1, 2020, Defendant Wolf announced—pursuant to the Executive  
20 Order—the formation of PACT within DHS. PACT was charged with “conduct[ing] *ongoing*  
21 assessments of potential civil unrest or destruction and allocat[ing] resources to protect people and  
22 property,” including “potential surge activity to ensure the continuing protection of critical  
23 locations.”

24 106. Second, Defendants began changing or continuing to change guidance regarding  
25 the lawful scope of federal activity under 40 U.S.C. § 1315. Rather than limiting federal  
26 involvement under that statute to federal laws or property, Defendants expanded the ability of  
27 federal agents to address threats to *any* public monument, memorial, or statue, regardless of its  
28 federal nature.

1           107. For example, a July 2020 leaked, unclassified document entitled “Job Aid: DHS  
2 Office of Intelligence & Analysis (I&A) Activities in Furtherance of Protecting American  
3 Monuments, Memorials, Statues, and Combatting Recent Criminal Violence” (“Job Aid”) shows  
4 that parts of the Defendants’ intelligence community were now authorized to monitor and collect  
5 information regarding protest activities beyond suspected or planned attacks on federal facilities,  
6 including threats to damage or destroy *any* public monument, memorial, or statue.

7           108. The “Job Aid” was intended to “expand[] intelligence activities necessary to  
8 mitigate the significant threat to homeland security articulated in the President’s executive order  
9 of June 26, 2020.”

10           109. Finally, Defendants began deploying, cross-designating, and/or commanding  
11 federal law enforcement agents pursuant to the Executive Order and the Policy.

12           110. Specifically, Defendant Wolf announced the deployment and pre-position of Rapid  
13 Deployment Teams across the country ahead of the July 4th holiday. Defendant Wolf stated that  
14 the task force would not “stand idly by while violent anarchists and rioters seek not only to  
15 vandalize and destroy the symbols of our nation, but to disrupt law and order and sow chaos in our  
16 communities.”

17           111. Taken together, the Executive Order, the creation or amendment of internal  
18 guidance documents, the creation of the PACT, the creation of other cross-designated federal law  
19 enforcement teams, and the deployment and operations of such teams, are, form part of, or are  
20 results of, the Policy.

21           112. The Policy constitutes “final agency action.”

22           **Deployment and Other Activities in Portland**

23           113. The following recitations are merely limited examples of why the Policy and/or  
24 specific acts in furtherance of the Policy constitute final agency action under which rights and  
25 obligations have been determined and from which legal consequences have flowed.

26           114. It is unclear how many deployments of federal agents were made in July pursuant  
27 to the Policy.

28

1           115. In the days before Defendants deployed federal personnel to Portland, the crowds  
2 attending demonstrations had shrunk. By early July 2020, only about 150 people could be seen  
3 gathering in downtown Portland on any given night.

4           116. On or about July 2, 2020, Defendant Wolf ordered the deployment of DHS, USMS,  
5 U.S. Customs and Border Protection (“CBP”), and the FPS to Portland in response to civil protests  
6 as part of Operation Diligent Valor.

7           117. Defendants did not seek Portland’s consent. Defendants did not act at the direction  
8 of PPB incident command that had been policing nightly protests for over a month.

9           118. The federal forces deployed to Portland from CBP included members of BORTAC,  
10 a paramilitary unit of the United States Border Patrol. BORTAC troops wear military-type  
11 uniforms and armament, are trained for tactical raids on organized gangs smuggling persons or  
12 drugs into the United States, and have in the past been deployed to such places as Afghanistan and  
13 Iraq.

14           119. On information and belief, BORTAC troops have no training in civilian crowd  
15 control.

16           120. Through Operation Diligent Valor, Defendants sent teams of agents—untrained in  
17 crowd control and wearing military fatigues—onto Portland’s streets. Their uniforms bore no  
18 governmental, administrative or personal names, just the word “police” in tape. Federal agents  
19 used tactics and munitions that escalated violence in Portland.

20           121. On or about July 11, 2020, federal agents allegedly fired impact munitions into an  
21 unarmed crowd. One of the bullets struck a protestor and fractured his skull.

22           122. Starting on or about July 14, 2020, federal agents drove around Portland in  
23 unmarked vans and detained individuals associated with the protests. Federal agents were  
24 patrolling and detaining individuals far beyond the immediate vicinity of the federal courthouse.  
25 Agents allegedly seized at least one individual who was more than two blocks from the courthouse  
26 and not engaged in any activity related to federal property.

27           123. Upon information and belief, federal agents seized multiple protestors and held  
28 them for hours before releasing them for lack of probable cause. The federal agents gave no

1 justification for why they detained particular residents, searched their belongings, and placed  
2 residents in cells for hours before reading them their *Miranda* rights.

3 124. Far from imposing peace in the City's streets, the tactics and munitions used by  
4 federal agents antagonized demonstrators, escalated the protests, and caused further unrest.

5 125. On July 22, 2020, federal agents fired tear gas into a crowd that included Portland  
6 Mayor Wheeler.

7 126. Later reports of internal DHS documents showed that the Office of Intelligence  
8 Analysis also collected and analyzed messages between protesters in Portland, specifically  
9 surveilling protesters' communications via the Telegram messaging app, discussing where to take  
10 the protests and how to avoid officers. The purpose of this monitoring is still unknown. It is also  
11 unknown whether the surveillance was limited to the protection of federal property or gathered on  
12 federal property.

13 127. On July 29, 2020, the Governor Brown reached a negotiated agreement with the  
14 federal government. Defendants agreed to withdraw federal agents from Portland with assurance  
15 that Oregon State Police would take on additional duties guarding the safety of the federal  
16 courthouse in Portland.

17 **Justifications for the Policy Are Pretextual**

18 128. Although the purported purpose of the deployment was to protect federal property  
19 that had been vandalized or threatened during protests, anonymous statements from White House  
20 Officials indicate such purpose was mere pretext. The sources alleged that President Trump  
21 became interested in federal operations against protestors in Portland as a way to convey a "law-  
22 and-order message" and to "amplify strife in cities."

23 129. As stated above, DHS has cited 40 U.S.C. § 1315 as the legal basis for Operation  
24 Diligent Valor and the general practice of deploying federal troops to Portland, despite the  
25 observed scope and operations of agents being well beyond the purpose or function of protecting  
26 federal persons or property.

27 130. The U.S. Crisis Monitor found that prior to that deployment, "over 83% of  
28 demonstrations in Oregon were non-violent. Post-deployment, the percentage of violent

1 demonstrations [rose] from under 17% to over 42% [in Oregon], suggesting that the  
2 federal response has only aggravated unrest.”

3 131. Despite statements justifying deployments as responses to crime or “anarchy,”  
4 crime rates in Plaintiffs’ communities have been decreasing overall; neither city is in the list of top  
5 10 United States cities with the largest number of violent crimes per 100,000 residents. Moreover,  
6 Plaintiffs’ crime rates do not differ dramatically from those in other, Republican-run cities. For  
7 example, violent crime rates in Fresno, Jacksonville, Oklahoma City, and Tulsa—cities with  
8 Republican mayors—far exceed the violent crime rates in Portland. These cities also have murder  
9 rates at twice that of Portland.

10 132. A comprehensive review by the Armed Conflict Location and Event Data  
11 (“ACLED”) Project and the Princeton University Bridging Divides Initiative underscores the  
12 overall peaceful nature of the social justice-related protests in summer 2020. Between May 25,  
13 2020, and August 22, 2020, there were 7,750 Black Lives Matter-related demonstrations in 2,440  
14 locations in all 50 states and Washington, D.C. Overall, in summer 2020, there were at least 10,600  
15 demonstrations across the United States. Of those, more than 93% involved only peaceful protests.  
16 And according to ACLED, violence occurred at around 220 locations.

17 133. President Trump and Defendants have repeatedly made public comments revealing  
18 that the officially stated goal of operations such as those in Portland is not protecting federal  
19 property. Instead, their statements suggest that the animating and invidious purpose for these  
20 actions—that is, for the Policy—is to punish progressive cities and leaders and violently quell the  
21 exercise of constitutionally protected activity. Specifically, the President’s, Defendants’, and  
22 Policy’s purpose is to further the view that diverse and/or progressive cities and their leaders, and  
23 movements for racial justice and police reform, are dangerous and extreme circumstances that  
24 should be suppressed.

25 134. President Trump has also repeatedly commented that the purpose of deployment  
26 under the Policy of federal agents to Portland was to “quell” the protests, and that the goal was to  
27 “clean out this beehive of terrorists.” He has stated that protesters are “anarchists” who “hate our  
28 country.” And in describing the deployment to Portland under the Policy, President Trump stated:



1 “We’ve done a great job in Portland . . . Portland was totally out of control, and they went in, and  
2 I guess we have many people right now in jail. We very much quelled it, and if it starts again, we’ll  
3 quell it again very easily. It’s not hard to do, if you know what you’re doing.”

4 135. In addition, Defendant Wolf affirmed that actions taken under the Policy were  
5 without other governments’ consent, asserting: “The city of Portland has been under siege for 47  
6 straight days by a violent mob while local political leaders refuse to restore order to protect their  
7 city . . . I reiterate the Department’s offer to assist local and state leaders to bring an end to the  
8 violence perpetuated by anarchists.”

9 136. Local and state leaders have not accepted that offer.

10 137. Local and state officials have repeatedly and vehemently stated their opposition to  
11 the federal deployment in Portland. Oregon Attorney General Ellen Rosenblum filed a lawsuit  
12 against the federal government to stop its deployment and tactics. Oregon Governor Brown stated:  
13 “This political theater from President Trump has nothing to do with public safety. The President  
14 is failing to lead this nation. Now he is deploying federal officers to patrol the streets of Portland  
15 in a blatant abuse of power by the federal government.”

16 138. From the outset, the City of Portland has expressed its opposition to the deployment  
17 of federal agents under Operation Diligent Valor without its consent.

18 139. Only a few days after the federal agents were deployed, on July 8, 2020, Portland’s  
19 Deputy Police Chief Chris Davis made a public statement that the presence of federal agents, who  
20 are “governed by their own policies and procedures,” only “complicates things” for PPB.

21 140. On July 19, 2020, Mayor Wheeler stated the following:

22 What’s happening here is, we have dozens, if not hundreds of federal troops  
23 descending upon our city. And what they’re doing is, they are sharply escalating the  
24 situation . . . our local and state law enforcement officials had contained the situation  
25 . . . The tactics that the Trump administration are using on the streets of Portland are  
26 abhorrent . . . this is completely unconstitutional.

27 141. In response to the tactics and munitions used by federal agents, and consequent  
28 public outcry, on July 22, 2020, Portland’s City Council adopted Resolution 37496, which  
prohibits PPB cooperation with any federal agents deployed to Portland under an executive order.

1 In response to Defendants' actions under the Policy, on July 28, 2020, Oakland's City Council  
2 adopted Resolution No. 88276 ("Directing And Authorizing The City Attorney And The City  
3 Administrator To Take Any And All Lawful Necessary Steps To Protect The Rights Of The People  
4 And The City Of Oakland Against President Trump's Threats To Take Actions That Result In  
5 Harm To The People Of Oakland Or The City Of Oakland, And Against Any Related Actions  
6 Federal Officers Take That Result In Harm To The People Of Oakland Or The City Of Oakland").

7 142. The actions taken by Defendants in Portland under the Policy were and are not  
8 taken pursuant to any known lawful federal authority.

9 **Plaintiffs Remain at Risk Under the Policy**

10 143. Rather than retreat from the activities in Portland, Defendants have expressed an  
11 intent to expand the presence of federal law enforcement throughout the United States.

12 144. President Trump has indicated that, under the Policy, Defendants will continue to  
13 target cities he views as progressive, stating in early September: "They'll make every city look  
14 like frankly, a Portland, or you look at other Democrat-run cities. Look at what's happened in New  
15 York, as high as 300% increase in crime. Chicago, Baltimore, take a look at Oakland. All  
16 Democrat-run top 10 cities in the country and long beyond that, all Democrat-run."

17 145. As recently as September 21, 2020, President Trump continued to propagate  
18 disinformation about Plaintiffs. He stated: "What they're talking about, you look at Portland, you  
19 look at Chicago, you look at New York, you look at Baltimore and Oakland and all—these are  
20 Democrat-run cities that are horrible on crime, there's no law and order, no cash bail, no anything."

21 146. Though most federal agents were temporarily pulled out of Portland, President  
22 Trump has threatened that they can return at any time. The President also has stated the federal  
23 government will further escalate any conflict if local law enforcement does not rein in "anarchists  
24 and agitators." He has consistently stated that he will not hesitate to send in federal authorities if  
25 the local government could not stop "crime and violence" from breaking out.

26 147. The President's threats and warnings are not limited to federal property. He recently  
27 announced a plan to send law enforcement to polling places on election day, stating: "We're going  
28

1 to have sheriffs, and we're going to have law enforcement. And we're going to have hopefully  
2 U.S. attorneys, and we're going to have everybody and attorney generals."

3 148. The President's provocations continue. He recently issued a memorandum  
4 purporting to direct Defendants to review federal funding provided to "anarchist" cities, including  
5 Portland, and to withdraw such funding to punish these cities.

6 149. Defendants continue to take new or continuing unlawful actions under the Policy.  
7 For instance, DHS has erected and refused to remove a fence and barriers around the Hatfield  
8 Federal Courthouse in Portland, which are in the City-controlled public right-of-way. The fence  
9 and barriers, which extend into adjacent Main Street, effectively block an entire bike lane without  
10 Portland's permission. The fence and barriers also extend onto Third Avenue and effectively block  
11 vehicular travel in one lane.

12 150. The only statutory authority DHS has offered to Portland to justify the fence is 40  
13 U.S.C. § 1315.

14 151. The fence was first erected by FPS on July 18, 2020. According to a statement  
15 from U.S. Attorney Billy J. Williams, the federal government's stated purpose of the fence was  
16 "to de-escalate tensions between protesters and federal law enforcement officers, and to allow  
17 much-needed building repairs to begin."

18 152. The fence is not on federal property, and FPS did not seek permission before  
19 erecting the fence. In order to lawfully erect the fence, Portland City Code Chapter 17.24 requires  
20 a permit to be obtained from the Portland Bureau of Transportation ("PBOT"). FPS obtained no  
21 such permit.

22 153. Portland has asked FPS multiple times to move its fence out of the right-of-way  
23 and onto the sidewalk adjacent to the Courthouse. FPS has not yet done so and has taken the  
24 position that they are permitted to install the fence and associated barriers pursuant to 40 U.S.C.  
25 § 1315.

26 154. In an October 7, 2020, email to Portland officials, FPS indicated its contractor had  
27 moved the fence to allow access to the storm drain and expected to move the fence back from the  
28

1 bike lane “in the next few weeks.” This is merely the latest assurance by FPS that it will move its  
2 fence.

3 155. A July 14, 2020, document obtained by Oregon Public Broadcasting indicated that  
4 the federal government intended to rent the fence from its contractor for three to six months.

5 156. Defendants continue to have a presence and activities in Portland, and there is a  
6 continued dispute regarding the scope of their authority under 40 U.S.C. § 1315, including the  
7 ability to unilaterally take over City-controlled or -owned property under a pretext of securing  
8 federal property.

9 **Defendant Wolf Was and Is Unlawfully Acting as Secretary of Homeland Security, and Any**  
10 **Aspects of the Policy Promulgated or Implemented Under His Purported Authority Must Be Set**  
11 **Aside**

12 157. Federal service in Senate-confirmed positions is governed by, among other statutes,  
13 the Federal Vacancies Reform Act (“FVRA”), 5 U.S.C. § 3345 *et seq.* If a person is acting  
14 unlawfully under the FVRA, their actions and their policies are “without force and effect.” 5 U.S.C.  
15 § 3348(d)(1). An action promulgated “without force and effect” “may not be ratified.” *Id.*  
16 § 3348(d)(2).

17 158. Congress has delegated the U.S. Government Accountability Office (“GAO”) to  
18 play a core role in FVRA compliance: namely, per the FVRA, the GAO must collect information  
19 about vacancies, and if the GAO “makes a determination that an officer is serving longer than the  
20 210-day period including the applicable exceptions to such period under section 3346 or section  
21 3349a, the Comptroller General shall report such determination immediately” to various  
22 authorities, including Congress. 5 U.S.C. § 3349.

23 159. On August 14, 2020, the GAO issued a report under its FVRA duties and authority,  
24 entitled “Department of Homeland Security—Legality of Service of Acting Secretary of  
25 Homeland Security and Service of Senior Official Performing the Duties of Deputy Secretary of  
26 Homeland Security.” In sum, the report finds that Acting Secretaries “Wolf and [Ken] Cuccinelli  
27 were named to their respective positions of Acting Secretary and Senior Official Performing the  
28 Duties of Deputy Secretary by reference to an invalid order of succession” and that “[b]ecause Mr.

1 Wolf draws his authority to serve as Acting Secretary from [an invalid] Delegation, Mr. Wolf  
2 cannot, therefore, rely upon it to serve as the Acting Secretary.”

3 160. The GAO report also analyzed whether Defendant Wolf could be lawfully serving  
4 under the succession provisions of the Homeland Security Act (“HSA”), 6 U.S.C. § 113(g)(2), and  
5 found that he could not.

6 161. In addition to these findings from the GAO, numerous lawsuits have raised the  
7 same or similar questions about Defendant Wolf’s authority, and have asked courts—under the  
8 FVRA, the HSA, or other laws regarding agency authority—to set aside various policies  
9 promulgated under that purported authority. *See, e.g., Immigrant Legal Resource Ctr. v. Wolf*,  
10 2020 WL 5798269, at \*9 (N.D. Cal. 2020) (holding that “[p]laintiffs have shown that they are  
11 likely to succeed on the merits of their claim that Mr. Wolf was not validly serving in office” and  
12 enjoining enforcement of the challenged rule); *Casa de Maryland, Inc. v. Wolf*, 2020 WL 5500165,  
13 at \*23 (D. Md. 2020) (holding that “because Wolf filled the role of Acting Secretary without  
14 authority, he promulgated the challenged rules also ‘in excess of . . . authority’” and enjoining the  
15 rules’ enforcement); *see also Bullock v. U.S. Bureau of Land Mgmt.*, 2020 WL 5746836 (D. Mont.  
16 2020) (holding that William Perry Pendley, the person exercising authority of the Director of the  
17 Bureau of Land Management, served unlawfully for 424 days and enjoining him from exercising  
18 that authority); *L.M.-M., v. Cuccinelli*, 442 F.Supp.3d 1, 29, 34 (D.D.C. 2020) (holding that Acting  
19 U.S. Citizenship and Immigration Services (“USCIS”) Director Cuccinelli “was designated to  
20 serve as the acting Director of USCIS in violation of the FVRA” and “because Cuccinelli was  
21 exercising the authority of the USCIS Director in violation of the FVRA, the directives were not  
22 issued ‘in accordance with law,’ and must, accordingly, be set aside under the APA”).

23 162. The lawsuits, like the GAO report, generally explain that because the FVRA  
24 generally bars acting officials from serving for more than 210 days in a position that requires  
25 Presidential appointment and Senate confirmation, 5 U.S.C. § 3346, and because the last Senate-  
26 confirmed DHS Secretary resigned on April 10, 2019, no one could have lawfully acted in that  
27 role under the FVRA, without appointment and confirmation, after November 6, 2019. Defendant  
28 Wolf assumed his office on November 13, 2019.

1           163. The lawsuits, also like the GAO report, generally further explain that the HSA sets  
2 an order of succession in the event of a vacancy, 6 U.S.C. §§ 113(a)(1)(A), (a)(1)(F) and (g)(1),  
3 and if certain enumerated positions are vacant, the Secretary may designate a “further order of  
4 succession,” *id.* § 113(g)(2), but that because the Acting DHS Secretary *prior* to Defendant Wolf  
5 unlawfully changed the order of DHS succession, Defendant Wolf cannot lawfully serve in his  
6 role.

7           164. Finally, the lawsuits generally ask courts to set aside and/or enjoin actions by  
8 officials acting unlawfully in federal agency roles, because those actions are “without force and  
9 effect,” 5 U.S.C. § 3348(d)(1), “may not be ratified,” *id.* § 3348(d)(2), and were therefore  
10 promulgated “in excess of statutory authority” and not “in accordance with law,” *id.* §§ 706(2)(C),  
11 (2)(A).

12           165. These lawsuits have been largely successful.

13           166. On information and belief, Defendant Wolf promulgated and/or implemented all,  
14 some, or part of the Policy challenged in this lawsuit, and any aspects of the Policy promulgated  
15 and/or implemented under his authority must be set aside and/or enjoined.

16           **Related Practice of Unlawfully Commandeering Portland’s Law Enforcement Officers**

17           167. In addition and related to the Policy, Defendants continue to engage in a related  
18 Practice that also asserts authority not delegated to them under the Constitution or under other  
19 legal authority.

20           168. On or about September 21, 2020, the City of Portland, Oregon State Police, and  
21 several federal law enforcement agencies, including the USMS, began logistics planning for an  
22 anticipated rally of the Proud Boys in Portland on Saturday, September 26, 2020.

23           169. The Proud Boys are an extremist pro-White hate group. Members of the Proud  
24 Boys, which appeared at the 2017 “Unite the Right” rally in Charlottesville, Virginia, “regularly  
25 spout white nationalist memes and maintain affiliations with known extremists” and “are known  
26 for anti-Muslim and misogynistic rhetoric.”

27           170. In anticipation of the Proud Boys rally, on September 25, 2020, Governor Brown  
28 declared a state of emergency and issued an executive order for the purpose of implementing a

1 coordinated law enforcement response. As part of the order, Governor Brown temporarily assumed  
2 control of local law enforcement, including PPB, the Multnomah County Sheriff's Office, the  
3 Gresham Police Department, and the Port of Portland Police.

4 171. Governor Brown appointed Multnomah County Sheriff Michael Reese and Oregon  
5 State Police Superintendent Travis Hampton to serve as incident commanders in the law  
6 enforcement coordination area, and they therefore assumed control of PPB, Multnomah County  
7 Sheriff's Office, Gresham Police Department, and Port of Portland Police.

8 172. The Governor's executive order, by its own terms, became effective at 12:01 A.M.  
9 Pacific Time on Saturday, September 26, 2020, and expired at 12:01 AM Pacific Time on Monday,  
10 September 28, 2020. Governor Brown's executive order and state of emergency were then  
11 terminated at 6:00 AM on September 27, 2020.

12 173. Pursuant to a direction given by Superintendent Hampton, on September 25, 2020,  
13 PPB Chief Charles Lovell authorized fifty-six officers, sergeants, and lieutenants from PPB's  
14 Rapid Response Team, which typically handles protests, to be deputized as federal agents for the  
15 purposes of tactical response to the anticipated rally and disturbance of the peace caused by the  
16 Proud Boys.

17 174. Because of the Governor's executive order and over the course of dealing with  
18 Oregon State Police, PPB anticipated that the deputation would be limited to the weekend  
19 surrounding the Proud Boys hate-related event or so long as the state of emergency remained in  
20 effect.

21 175. After the expiration of the state executive order, the federal deputation was in fact  
22 no longer needed.

23 176. On September 29, 2020, Portland City Attorney Tracy Reeve wrote to the U.S.  
24 Attorney's Office in Portland to clearly and expressly communicate the City's withdrawal of  
25 consent to the federal deputation of the fifty-six PPB officers.

26 177. City Attorney Reeve explained that the Governor's executive order had terminated,  
27 and PPB "was back under the control and direction of the City of Portland, and specifically Police  
28 Commissioner and Mayor Ted Wheeler and the Portland City Council." Because the executive

1 order terminated, “[t]he City of Portland [did] not consent to the continuing federal deputization  
2 of PPB officers and hereby formally withdr[e]w[] its consent to this deputization effective  
3 immediately.”

4 178. Neither the U.S. Attorney’s Office nor any other federal agency, including the  
5 USMS, responded to City Attorney Reeve’s communication.

6 179. Instead, on September 30, 2020, U.S. Attorney Williams and United States Marshal  
7 for the District of Oregon Russ Burger issued a press release regarding the deputation of the PPB  
8 officers.

9 180. The release stated that the “U.S. Marshal will not cancel the cross-deputation of  
10 local and state law enforcement officers.” In defense of their decision to commandeer Portland’s  
11 police force, U.S. Attorney Williams and United States Marshal for the District of Oregon Burger  
12 stated that continued deputation would provide “accountability and deterrence” for “criminal acts”  
13 and would support “front line law enforcement officers and their families in a way that they have  
14 not seen from City Hall.”

15 181. Despite Defendant agencies’ purported desire to hold individuals accountable for  
16 and deter criminal acts, it is the responsibility of PPB and other local law enforcement to generally  
17 address criminal activity in Portland. It is the responsibility of the State of Oregon and City of  
18 Portland to enact laws and enforce laws that strike the proper balance between deterring criminal  
19 activity and supporting First Amendment expression. And it is the responsibility of Portland, as  
20 the employer of PPB officers, to support and protect local law enforcement.

21 182. On October 2, 2020, Mayor Wheeler, as Police Commissioner, directed PPB  
22 officers to take no further action of any kind pursuant to the federal deputation, including the  
23 enforcement of any federal law.

24 183. Nonetheless, because the federal government has refused to recognize Portland’s  
25 withdrawal of consent to deputation, Portland remains concerned about public confusion over the  
26 chain of command for the deputized PPB officers and the appearance that the officers could be  
27 ordered to respond to a federal chain of command, including by being ordered to enforce federal  
28 law.



1 184. The practice of continued deputation of Portland's officers limits the City's law  
2 enforcement discretion, creates potential conflict between Defendants and Portland over the use  
3 and tactics of Portland's own officers and other law enforcement personnel, and unlawfully usurps  
4 the legislative and governance prerogative of local officials.

5 185. The Practice of continued, non-consensual deputation of Portland's law  
6 enforcement officers unconstitutionally infringes on Portland's authority to end the deputation and  
7 unconstitutionally compels local officers to continue to serve as federal law enforcement officials,  
8 whether in name or in scope of authority.

9 **Harm to Plaintiffs**

10 ***Economic Injury***

11 186. Plaintiffs have already suffered economic harms and will continue to suffer such  
12 harms under the Policy and Practice.

13 **Portland's Economic Harms**

14 187. At the time of the federal government's deployment into Portland, protests in the  
15 City were growing more peaceful and were more easily managed on a day-to-day basis by PPB.

16 188. As a direct result of the unlawful intervention by Defendants, Portland experienced  
17 a significant increase in violent protests and civil disturbance. Dr. Robert Pape and his team of  
18 researchers at the University of Chicago examined 122 protest events in Portland between May  
19 28, 2020, and August 6, 2020, and found that violence behavior increased and peaceful protests  
20 decreased during the 25 days when federal agents were present.

21 189. Following the removal of federal agents from the streets of Portland, PPB was  
22 required to expend additional resources on crowd management and maintaining peace.

23 190. As a direct result of the unlawful intervention of Defendants, PPB was required to  
24 spend additional money on overtime for patrol officers and other resources in response to the  
25 heightened tensions within Portland.

26 191. Since July 2020 and continuing to the present, Portland's elected leadership and  
27 other city officials have spent hundreds of hours in meetings, discussions, and other planning  
28

1 efforts to respond to the presence of federal agents and to plan for possible additional federal  
2 intervention under the Policy.

3 Oakland's Economic Harms

4 192. Although Plaintiff City of Oakland has not yet been subject to direct federal  
5 intervention under the Policy, it has nonetheless already suffered and will continue to suffer  
6 economic harms.

7 193. In response to the Policy, Oakland has also engaged in new outreach through the  
8 departments that are members of its Emergency Operations Center, activities that would not have  
9 been necessary and resources that would not have been required but for the Policy.

10 194. Oakland's elected leadership has devoted time since July 2020 preparing for  
11 possible federal intervention under the Policy.

12 195. Oakland's economic harms will significantly increase if the City becomes a target  
13 of deployment under the Policy, for many reasons. One such reason is the City's "mutual aid"  
14 agreements, as described above. The City's mutual aid agreements with other governments have  
15 never contemplated coming to the assistance of a sister government in the event of unprecedented  
16 federal intervention, such as the interventions that have occurred and may occur under the Policy.

17 196. Oakland has had mutual aid requests rejected when the aid sought does not comport  
18 with the agreements or conflicts with their partners' policies.

19 197. Oakland will suffer significant economic harm if it cannot rely on mutual aid. In  
20 the limited instances in which mutual aid has been unavailable, for instance, the Oakland Police  
21 Department has been forced to cancel days off, pay substantial additional overtime, and divert  
22 officers from their assigned duties.

23 198. Defendants did not take either Portland or Oakland's economic harms into account  
24 in enacting the Policy.

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1                    ***Budgetary and Other Uncertainty; Impairment of Ability to Provide Services***

2                    199. Plaintiffs depend on the clear delineation of and communication about federal,  
3 state, and local police authority to safely govern and police their communities.

4                    200. Plaintiffs must know or reasonably expect when federal law enforcement agents  
5 will be or could be deployed in their cities, both as a constitutional and safety matter.

6                    201. Plaintiffs have historically worked closely with Defendants' local representatives  
7 to ensure the safety of the federal property Defendants have authority to protect.

8                    202. Even when the federal government has, in the past, intervened involuntarily in  
9 cities, counties, or states, it has done so using lawful processes, such as by filing enforcement  
10 actions in court or, in extreme and rare circumstances, formally invoking powers such as the  
11 Insurrection Act and following such statutes' requirements for a declaration. The Act is not  
12 invoked secretly or ambiguously. 10 U.S.C. § 254.

13                    203. The current Policy represents an entirely new process by which cities may find  
14 federal law enforcement in the midst of civil protests, throughout their jurisdictions, and surveilling  
15 their residents well beyond federal crimes or properties.

16                    204. Plaintiffs' uncertainty about whether, when, and with what parameters federal  
17 agents may be deployed to their cities under the Policy prevents them from appropriately advising  
18 their police departments and fire departments, among others, and from fully planning their budgets.

19                    205. Further, Plaintiffs' police departments, among other departments, have a strong and  
20 abiding interest in the community relationships they have formed, often over many years, with  
21 advocates, faith leaders, youth groups, and others in their jurisdictions. These relationships are  
22 crucial to addressing racial justice issues, de-escalating and interrupting violence, and engaging in  
23 successful long-term reform efforts. These relationships are also premised on Plaintiffs' police  
24 departments being able to fulfill the terms of their agreements, both formal and informal, with their  
25 community partners. Uncertainty regarding whether, when, and why federal law enforcement  
26 authorities, who lack any knowledge of these crucial agreements and understandings, may  
27 intervene in Plaintiffs' streets, harms Plaintiffs' capacity to honor their commitments to their  
28 residents and reduce violence in their communities.

1           206. Finally, because the full scope of the Policy is vague and unknown, Plaintiffs' city  
2 officials have no certainty about whether any particular decision they might make will lead to  
3 federal intervention under the Policy.

4           207. Together, these injuries perceptibly impair Plaintiffs' ability to provide the services  
5 they were formed to provide, and frustrate Plaintiffs' goals and values.

6           208. Under the Policy, federal enforcement actions are likely to violate or contravene  
7 Plaintiffs' otherwise lawful policies and values.

8           ***Activity Considered Impermissible by Local Policy Permitted Under the Policy***

9           209. Plaintiffs have specific policies, practices, and procedures for activities such as the  
10 use of force or use of surveillance by law enforcement authorities.

11           210. The City of Portland has a use of force policy, Directive 1010.00, and a crowd  
12 control policy, Directive 0635.10. These policies govern a number of PPB policies, practices, and  
13 procedures in responding to demonstrations, including PPB's use of impact munitions and  
14 chemical agents. The use of chemical agents has been further restricted by order of Portland's  
15 Police Commissioner, consistent with the City's values on policing.

16           211. The City of Oakland has a use of force policy, DGO K-3, and a crowd control  
17 policy, Training Bulletin III-G. Those documents govern a number of Oakland Police Department  
18 policies, practices, and procedures, including its use of nonlethal impact weapons and chemical  
19 agents, as well as video and photographic recording of protesters engaged in protected First  
20 Amendment activity.

21           212. These policies and trainings are intended to govern Plaintiffs' police departments'  
22 interactions with their communities. Based on those policies and trainings, in Plaintiffs'  
23 communities, residents have expectations for their interactions with local law enforcement.  
24 Federal law enforcement officers have not been trained in municipal community policing, critical  
25 civilian crowd management, and/or de-escalation techniques. The unconstrained actions of federal  
26 forces undermine the work of local law enforcement, including ongoing violence prevention  
27 programs and community engagement.

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1           213. Under the Policy, Plaintiff City of Portland has been unable to adhere to its local  
2 policies favoring de-escalation of potentially volatile situations because Defendants' actions under  
3 the Policy have inflamed local passions, encouraged violence, and generated the need for PPB  
4 response where it otherwise would not have been needed.

5           214. Under the Practice, PPB officers have a reasonable likelihood of being  
6 commandeered into engaging in activity that violates their local policies via their unconsented-to  
7 deputation by Defendants. Defendants' unlawful deputation of PPB officers also presently harms  
8 the City's public-accountability and community-engagement policies by propagating the false  
9 narrative that City police are operating under Defendants' authority and not under the direction  
10 and control of the City of Portland's elected officials.

11           ***Frustration of Federal Court Orders; Separation of Powers***

12           215. Plaintiffs are each, separately, under federal court orders that govern the activities  
13 of their police departments in various ways.

14           216. Plaintiff City of Portland's police department operates in part under a Negotiated  
15 Settlement Agreement in *United States v. City of Portland*, Case No. 3:12-cv-02265-SI (D. Or.  
16 2012), as well as recent injunctions in *Don't Shoot Portland v. City of Portland*, Case No. 3:20-  
17 cv-00917-HZ (D. Or. 2020) and *Index Newspapers LLC v. City of Portland*, Case No. 3:20-cv-  
18 01035-SI (D. Or. 2020).

19           217. Plaintiff City of Oakland's police department operates under a longstanding  
20 Negotiated Settlement Agreement in *Delphine Allen. v. City of Oakland*, Master Case File No.  
21 C00-4599-TEH (N.D. Cal. 2012), as well as under a recent injunction in *Anti Police-Terror Project*  
22 *v. City of Oakland*, Case No. 20-cv-03866-JCS (N.D. Cal. 2020).

23           218. Collectively, these various court orders bind Plaintiffs' police departments'  
24 activities, including governing many of their policies, practices, and procedures, and limiting their  
25 use of various forms of force.

26           219. Under the Policy, as carried out in, at a minimum, Portland, Defendants used arrest  
27 techniques, force, and surveillance that would facially violate Plaintiffs' federal court orders.  
28



1           228. Defendants may only exercise authority conferred by statute. *City of Arlington v.*  
2 *FCC*, 569 U.S. 290, 297-98 (2013).

3           229. Defendants' Policy is "final agency action" under the APA because it is fairly  
4 characterized as Defendants' final word on the matter and has legal consequences for Plaintiffs'  
5 resident protestors during civil protests, as well as, independently, for Plaintiffs facing economic  
6 harms and federal encroachment on police powers and the "take over" of their jurisdictions. *See*  
7 *U.S. Army Corps of Engineers v. Hawkes Co., Inc.*, 136 S. Ct. 1807, 1813 (2016) (quoting *Bennett*  
8 *v. Spear*, 520 U.S. 154, 177-78 (1997)); *see also New York v. U.S. Immigration & Customs*  
9 *Enforcement*, 431 F. Supp. 3d 377, 386-88 (S.D.N.Y. 2019).

10           230. Agency action need not be in writing, or ever known to the public, to be judicially  
11 reviewable as "final" action. *See Aracely, R. v. Nielsen*, 319 F. Supp. 3d 110, 138-39 (D.D.C.  
12 2018); *Wagafe v. Trump*, 2017 WL 2671254, at \*1, \*10 (W.D. Wash. 2017); *Venetian Casino*  
13 *Resort, LLC v. EEOC*, 530 F.3d 925, 931 (D.C. Cir. 2008) (concluding that "the record" as a whole  
14 "leaves no doubt" that a policy exists, even though "the details ... are still unclear").

15           231. Furthermore, each instance where Defendants, through their officers, employees,  
16 and agents, directly or constructively, unlawfully deployed or commanded federal law  
17 enforcement to act in excess of or contrary to law constitutes "final agency action" under the APA.

18           232. 40 U.S.C. § 1315(b)(1) allows the Secretary of DHS to designate certain federal  
19 employees "as officers and agents for duty in connection with the protection of property owned or  
20 occupied by the Federal Government and persons on the property, including duty in areas outside  
21 the property to the extent necessary to protect the property and persons on the property." These  
22 authorized duties include enforcing federal laws, making arrests if federal crimes are committed  
23 in the presence of an officer, and conducting investigations on and off the property for crimes  
24 against the property or persons on the property.

25           233. 40 U.S.C. § 1315(d)(3) further allows the Secretary to "utilize the facilities and  
26 services of Federal, State, and local law enforcement agencies, with the consent of the agencies."

27           234. 40 U.S.C. § 1315(e) also allows the Secretary to "enter into agreements with  
28 Federal agencies and with State and local governments to obtain authority for officers and agents

1 designated under this section to enforce Federal laws and State and local laws concurrently with  
2 other Federal law enforcement officers and with State and local law enforcement officers” “[]for  
3 the protection of property owned or occupied by the Federal Government and persons on the  
4 property.”

5 235. These statutory provisions do not authorize the designation of employees for  
6 general law enforcement purposes in domestic United States cities where the intent, mission, and  
7 purpose of the designation is not reasonably connected to such federally stated interests.  
8 Significantly, 40 U.S.C. § 1315 does not represent Congressional authorization to suppress  
9 insurrections under the Militia Clause. *See* U.S. Const. art. I, § 8, cl. 15.

10 236. Further, these statutory provisions do not authorize the expansion of federal  
11 property into City- or State-owned rights-of-way, or the takeover of City property for federal  
12 purposes, without the consent of the non-federal agencies, as Defendants assert.

13 237. The Policy therefore oversteps the constitutional limitations on the federal police  
14 powers, including as enumerated in the Militia Clause, the Republican Form of Government  
15 Clause, and the Tenth Amendment, and is not in accordance with and exceeds Defendants’  
16 authority under 40 U.S.C. § 1315 because it (a) authorizes the designation of such agents to quell  
17 civil protests and surveil and engage with threats to damage or destroy *any* public monument,  
18 memorial, or statue, and (b) authorizes the expansion of federal physical boundaries and the take-  
19 over of City rights-of-way for the purposes of securing federal property, without the express  
20 consent of the City.

21 238. Defendants’ unlawful actions have caused, are causing, and will continue to cause  
22 harm to Plaintiffs as alleged above, and there is a substantial likelihood that the requested relief  
23 will redress this harm.

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**SECOND CLAIM FOR RELIEF**

**(Administrative Procedure Act—Arbitrary and Capricious)**

**(Against All Defendants)**

**(5 U.S.C. § 706(2)(A))**

239. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

240. 5 U.S.C. § 706(2)(A) provides that a court shall hold unlawful and set aside agency action found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

241. Long-established principles of federalism, paired with congressional limitations, restrict the ability of the federal government to unilaterally deploy domestic military or police interventions.

242. Defendants have adopted a Policy to circumvent these limitations and deploy federal agents to quash civil protests, while publicly justifying the actions in the name of federal property protection. The motivation animating Defendants' Policy is the "takeover" of City police forces and powers, and is untethered to strictly federal interests or activities.

243. Defendants' purported justification for the Policy is wholly pretextual and, thus, arbitrary and capricious under the Administrative Procedure Act.

244. In enacting the Policy, Defendants have also acted arbitrarily and capriciously because Defendants did not fully consider the foreseeable harms of their policy and did not adequately explain the decision-making rationale behind the policy change, beyond a pretextual rationale.

245. In implementing the Policy, Defendants failed to consider, among many things, the direct and destructive impacts on local governments in their administration of general public safety, and the aforementioned harms that have and will flow to Plaintiffs.

246. Defendants' unlawful action has caused, is causing, and will continue to cause harm to Plaintiffs as alleged above, and there is a substantial likelihood that the requested relief will redress this harm.

**THIRD CLAIM FOR RELIEF**

**(Federal Vacancies Reform Act; Homeland Security Act)**

**(Against Defendant Wolf)**

**(5 U.S.C. § 3345 *et seq.*; 6 U.S.C. § 113)**

247. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

248. The Secretary of Homeland Security may be appointed by the President only with the advice and consent of the Senate, 6 U.S.C. § 112(a)(1), and when the Office of the Secretary is vacant, the order of succession is governed by the FVRA and/or the HSA.

249. Under those authorities, Defendant Wolf is not legally authorized to hold the position of Acting Secretary.

250. Under those authorities, Defendant Wolf is not legally authorized to perform the duties and functions of the Secretary of Homeland Security.

251. Because Defendant Wolf is without legal authority to hold his position or to perform its duties or functions, any contributions he made to the Policy or steps he took or is taking to enact or enforce the Policy “shall have no force or effect,” 5 U.S.C. § 3348(d)(1), “may not be ratified,” *id.* § 3348(d)(2), and must be set aside.

**FOURTH CLAIM FOR RELIEF**

**(Administrative Procedure Act—In Excess of Authority)**

**(Against Defendant Wolf)**

**(5 U.S.C. § 706(2)(C))**

252. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

253. Because Defendant Wolf is not legally authorized to hold the position of Acting Secretary, any action he took to contribute to, direct, revise, promulgate, enact, or enforce the Policy is “in excess of authority” under the APA and therefore must be held to be unlawful and set aside.

//

**FIFTH CLAIM FOR RELIEF**

**(Administrative Procedure Act—Not in Accordance with Law)**

**(Against Defendant Wolf)**

**(5 U.S.C. § 706(2)(C))**

254. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

255. Because Defendant Wolf is not legally authorized to hold the position of Acting Secretary, any action he took to contribute to, direct, revise, promulgate, enact, or enforce the Policy is “not in accordance with law” under the APA and therefore must be held to be unlawful and set aside.

**SIXTH CLAIM FOR RELIEF**

**(Anti-Commandeering)**

**(Plaintiff City of Portland Against Defendants Barr and DOJ)**

**(U.S. Const., amend. X)**

256. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

257. The Tenth Amendment to the United States Constitution preserves the states’ historic, sovereign, and fundamental autonomy to regulate their own affairs, including and especially the operations of their state and local governments.

258. General police powers are among those reserved to the States. “A state’s ability to regulate its internal law enforcement activities is a quintessential police power.” *United States v. California*, 921 F.3d 865, 887 n.11 (9th Cir. 2019), *cert. denied*, 2020 WL 3146844 (June 15, 2020).

259. States are permitted to delegate their police powers to their municipalities. “[T]he delegated power of municipalities is as broad as the police power of the state, except as that power may be restricted by terms of the grant or by the state constitution.” *D.C. v. John R. Thompson Co.*, 346 U.S. 100, 109 (1953).



1 the Tenth Amendment, and is not in accordance with and exceeds Defendants’ authority under 40  
2 U.S.C. § 1315 because it: (a) authorizes the designation of such agents to quell civil protests and  
3 surveil and engage with threats to damage or destroy *any* public monument, memorial, or statue;  
4 and (b) authorizes the expansion of federal physical boundaries and the take-over of City rights-  
5 of-way for the purposes of securing federal property, without the express consent of the City.

6 266. Defendants’ purported justification for the Policy is wholly pretextual and, thus,  
7 arbitrary and capricious under the Administrative Procedure Act.

8 267. In enacting the Policy, Defendants have also acted arbitrarily and capriciously  
9 because Defendants did not fully consider the foreseeable harms of their policy and did not  
10 adequately explain the decision-making rationale behind the policy change, beyond a pretextual  
11 rationale.

12 268. Because Defendant Wolf is without legal authority to hold his position or to  
13 perform its duties or functions, any contributions he made to the Policy or steps he took or is taking  
14 to enact or enforce the Policy “shall have no force or effect,” 5 U.S.C. § 3348(d)(1), “may not be  
15 ratified,” *id.* § 3348(d)(2), and must be set aside.

16 269. Because Defendant Wolf is not legally authorized to hold the position of Acting  
17 Secretary, any action he took to contribute to, direct, revise, promulgate, enact, or enforce the  
18 Policy is “in excess of authority” under the APA and therefore must be held to be unlawful and set  
19 aside.

20 270. Because Defendant Wolf is not legally authorized to hold the position of Acting  
21 Secretary, any action he took to contribute to, direct, revise, promulgate, enact, or enforce the  
22 Policy is “not in accordance with law” under the APA and therefore must be held to be unlawful  
23 and set aside.

24 271. An actual, present, and justiciable controversy exists between Plaintiffs and  
25 Defendants concerning the legality of the Policy and regarding whether Defendant Wolf has legal  
26 authority to hold his position or perform its duties or functions.

27 272. Plaintiffs seeks a declaratory judgment from this Court that the Policy is not in  
28 accordance with law, in excess of statutory authority, contrary to constitutional right, or without

1 observance of procedure required by law pursuant to 5 U.S.C. § 706(2); that the Policy is arbitrary,  
2 capricious, an abuse of discretion, or otherwise not in accordance with law within the meaning of  
3 5 U.S.C. § 706(2)(A); that Defendant Wolf is without legal authority to hold his position or to  
4 perform its duties or functions; and that aspects of the Policy promulgated under the purported  
5 authority of Defendant Wolf must be set aside and/or enjoined.

6 273. Defendants DOJ and Barr have unduly interfered with Portland's police functions  
7 as delegated to it by the State of Oregon, in violation of the Tenth Amendment, by refusing to  
8 cancel the deputation of the PPB officers at Portland's request.

9 274. An actual, present, and justiciable controversy exists between Portland and  
10 Defendants DOJ and Barr concerning the constitutionality of Defendants' refusal to cancel the  
11 deputation.

12 275. Portland seeks a declaratory judgment from this Court that Defendant DOJ's and  
13 Defendant Barr's refusal to cancel the deputation of PPB officers is violative of the Tenth  
14 Amendment and the anti-commandeering doctrine.

15  
16 **PRAYER FOR RELIEF**

17 Wherefore, Plaintiffs respectfully request that this Court:

- 18 1. Issue an order holding unlawful, vacating, and setting aside Defendants' Policy;
- 19 2. Declare that the Policy is not in accordance with law, in excess of statutory  
20 authority, contrary to constitutional right, or without observance of procedure required by law  
21 pursuant to 5 U.S.C. § 706(2);
- 22 3. Declare that the Policy is arbitrary, capricious, an abuse of discretion, or  
23 otherwise not in accordance with law within the meaning of 5 U.S.C. § 706(2)(A);
- 24 4. Declare that aspects of the Policy promulgated under the purported authority of  
25 Defendant Wolf must be set aside and/or enjoined;
- 26 5. Declare that Defendant DOJ's and Defendant Barr's commandeering of local law  
27 enforcement is unlawful under the Tenth Amendment and order them to immediately  
28 cancel the at-issue deputation of PPB officers;

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6. Award Plaintiffs costs, expenses, and reasonable attorneys' fees; and
7. Award any other relief the Court deems just and proper.

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DATED: October 14, 2020

Respectfully submitted,

**OFFICE OF THE CITY ATTORNEY  
CITY OF OAKLAND**

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*Counsel for the Cities of Oakland and Portland*



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**FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, Malia McPherson, hereby attests that concurrence in the filing of this document has been obtained from all the signatories above.

DATED: October 14, 2020

/s/ Malia McPherson  
Malia McPherson

Message

**From:** (b)(6), (b)(7)(C)

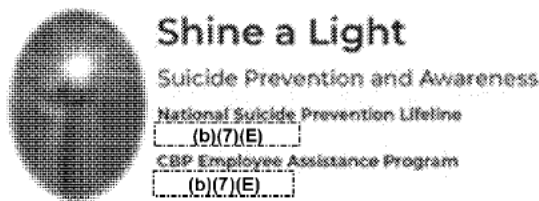
**Sent:** 10/10/2020 12:24:22 AM

**To:** PADILLA, MANUEL JR; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C)

**Subject:** FW: Index Newspapers -- Portland Civil Unrest Litigation -- Stay of Preliminary Injunction Denied by Ninth Circuit

**Attachments:** Index Newspapers Portland Civil Unrest Preliminary Injunction 8-20-20.pdf; PI Guidance - Index Newspapers.pdf; Index Newspapers Portland Civil Unrest Stay of Preliminary Injunction Denied by Ninth Circuit 10-9-20.pdf

*Rodney Scott*  
 Chief  
 US Border Patrol  
 US Customs and Border Protection  
 (b)(6), (b)(7)(C)



**From:** COUREY, MARC BENNETT (OCC); (b)(6), (b)(7)(C)

**Sent:** Friday, October 9, 2020 8:19 PM

**To:** MORGAN, MARK A; (b)(6), (b)(7)(C); PEREZ, ROBERT E; (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W; (b)(6), (b)(7)(C); SCOTT, RODNEY S; (b)(6), (b)(7)(C); ORTIZ, RAUL L; (b)(6), (b)(7)(C); FORET, VERNON T; (b)(6), (b)(7)(C); FERRARA, WILLIAM; (b)(6), (b)(7)(C); SABATINO, DIANE J; (b)(6), (b)(7)(C); FALK, SCOTT K (OCC); (b)(6), (b)(7)(C); STUNTZ, SHELBY (OCC); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); PADILLA, MANUEL JR; (b)(6), (b)(7)(C); HIGHSMITH, ANNMARIE (OCC); (b)(6), (b)(7)(C); (OCC); (b)(6), (b)(7)(C); WILLIAMS, MARTA (OCC); (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Stay of Preliminary Injunction Denied by Ninth Circuit

Commissioner and Deputy Commissioner – This afternoon, the Ninth Circuit issued the attached order regarding the Government’s request for a stay pending the appeal of the preliminary injunction in the *Index Newspapers* matter involving journalists and legal observers. In short, the Ninth Circuit found that “the Federal Defendants have not made a strong showing that they are likely to succeed on the merits of plaintiffs’ claims. Nor have they shown that they are likely to suffer irreparable injury as a result of the district court’s preliminary injunction. Further, a stay of the district court’s injunction would substantially injure both the City and the plaintiffs.” This order does not impact the appeal which will proceed with briefing next week. However, our request for a stay while the appeal proceeds was denied, and the administrative stay that was granted by the Ninth Circuit on August 27 has been lifted. This means the preliminary injunction that was ordered by the District Court on August 20 is restored into effect. (b)(5)

(b)(5)

(b)(5) As a reminder, and as reflected in the thread below, pursuant to the preliminary injunction, the Federal Defendants are enjoined from the following actions:

1. Arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer, unless the Federal Defendants have probable cause to believe that such individual has committed a crime. Further, Journalists and Legal Observers are not required to disperse following the issuance of an order to disperse.
2. Seizing any photographic equipment or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person.
3. If Federal Defendants seize property from a Journalist or Legal Observer, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer.
4. The Judge outlined what might be considered indicia of being a Journalist to include: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. Of note, the Judge also indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities, would also equate to indicia of being a Journalist.
5. The Judge also outlined what might be considered indicia of being a Legal Observer to include: wearing a green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. Again, the Judge indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities would also equate to indicia of being a Legal Observer.
6. The Federal Defendants are not precluded from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons and shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)  
(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)  
~~Attorney Work Product / Attorney-Client Privileged~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Friday, August 28, 2020 6:54 AM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C) FALK, SCOTT K (OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Stayed by Ninth Circuit



Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey

CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Thursday, August 20, 2020 8:33 PM

**To:** MORGAN, MARK A

(b)(6), (b)(7)(C)

PEREZ, ROBERT E

(b)(6), (b)(7)(C)

**Cc:** SEGUIN, DEBBIE W

(b)(6), (b)(7)(C)

SCOTT, RODNEY S

(b)(6), (b)(7)(C)

ORTIZ,

RAUL L

(b)(6), (b)(7)(C)

PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

Owen, Todd

C (EAC OFO)

(b)(6), (b)(7)(C)

FORET, VERNON T

(b)(6), (b)(7)(C)

FERRARA,

WILLIAM

(b)(6), (b)(7)(C)

SABATINO, DIANE J

(b)(6), (b)(7)(C)

FALK, SCOTT K

(OCC)

(b)(6), (b)(7)(C)

WILLIAMS, MARTA (OCC)

(b)(6), (b)(7)(C)

STUNTZ, SHELBY

(OCC)

(b)(6), (b)(7)(C)

(OCC)

(b)(6), (b)(7)(C)

(OCC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C); (OCC)

(b)(6), (b)(7)(C)

(OCC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

JACKSTA, LINDA L

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OCC)

(b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today

Commissioner and Deputy Commissioner – This afternoon, Judge Simon issued the attached Preliminary Injunction against the U.S. Government, including the Department of Homeland Security. The terms of the Preliminary Injunction are very similar to those outlined in the Temporary Restraining Order issued on July 23 and extended on August 6. In short, the Federal Defendants are enjoined from the following:

1. Arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer, unless the Federal Defendants have probable cause to believe that such individual has committed a crime. Further, Journalists and Legal Observers are not required to disperse following the issuance of an order to disperse.
2. Seizing any photographic equipment or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person.
3. If Federal Defendants seize property from a Journalist or Legal Observer, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer.
4. The Judge outlined what might be considered indicia of being a Journalist to include: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. Of note, the Judge also indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities, would also equate to indicia of being a Journalist. This was a modification to the TRO terms.
5. The Judge also outlined what might be considered indicia of being a Legal Observer to include: wearing a green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. Again, the Judge indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities would also equate to indicia of being a Legal Observer. This was a modification to the TRO terms.
6. The Federal Defendants are not precluded from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons and shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

A matter of contention and extensive testimony through declarations included whether Federal Defendants would be ordered to wear additional unique identifying markings. Judge Simon ordered the parties to confer regarding the placement of unique identifying markings on uniforms and/or helmets so that they can be identified at a reasonable distance and without unreasonably interfering with the operational needs of the officers/agents. (b)(5)

(b)(5)

Finally, we were ordered to provide the terms of the Preliminary Injunction to the officers/agents (and their supervisors) currently operating within Portland in support of FPS within 14 days. (b)(5)

(b)(5)

(b)(5) Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)  
(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)  
~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC) (b)(6), (b)(7)(C)  
**Sent:** Thursday, August 6, 2020 7:06 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K (OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- TRO Extended

Commissioner and Deputy Commissioner – The attached Temporary Restraining Order that was issued on July 23, 2020, against the U.S. Government, including the Department of Homeland Security, was extended by Judge Simon today for an additional 14 days. This extended TRO will expire on August 20 at 5:00pm PT. Judge Simon denied our motion for reconsideration wherein we argued that the TRO was unworkable for various reasons, including that demonstrators were masquerading as press and perpetrating acts of violence.

The Preliminary Injunction Hearing is calendared for August 18. (b)(5)

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)  
(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)  
~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC)  
**Sent:** Thursday, July 23, 2020 7:14 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)

Cc: SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO); (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K (OCC); (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC); (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- TRO Likely/Imminent

Commissioner and Deputy Commissioner -- The hearing for the *Index Newspapers* TRO was held earlier today in Portland and we wanted to provide you a brief summary and also notify you of the likelihood that a 14-day TRO will be granted with regard to the use of force and arrests against and of journalists and legal observers. Present at the hearing was attorney Matthew Borden for the plaintiffs and Main DOJ Civil (attorney Andrew Warden) representing the Government. The plaintiffs argued they have presented voluminous evidence (approximately 20 declarations) showing the federal defendants are harming identifiable journalists and legal observers in Portland, chilling free speech. The plaintiffs further argued they will suffer harm in the future because they are continuing to attend these protests and have suffered similar harm even after the TRO was filed.

DOJ argued, as it did at the Oregon AG TRO hearing yesterday, that a TRO would chill officers from making split-second decisions necessary to protect themselves and federal property. DOJ also argued that there is no evidence the federal defendants targeted or retaliated against any individual because the individual is a journalist or legal observer. DOJ further argued that extending the judge's TRO against the City of Portland to the federal defendants would be unworkable. Under that TRO, journalists and legal observers with certain identifiable characteristics are not required to disperse when the City issues a crowd control order. DOJ argued that officer safety would be at risk if the federal defendants' agents need to take extra time to determine whether an individual is a protestor, who must disperse, or a journalist, who may remain. Finally, DOJ argued the plaintiffs have other forms of relief available to them, such as *Bivens* claims, which are more appropriate than a TRO.

Judge Simon went through a series of questions and made comments that appeared damaging to the Government's arguments. Judge Simon asked whether DOJ had any evidence that journalists or legal observers caused any damage to federal property. DOJ indicated it had no such evidence. The Judge then pointed out that when someone is identified as a journalist and there is no probable cause to believe the individual committed any crime and the individual is then shot at with rubber bullets, the harm can reasonably be inferred to be because the individual is a journalist. Next, the Judge asked the Government why a TRO with language mirroring the TRO issued against the City would be unworkable when that TRO has worked well and led to a stipulated preliminary injunction between the plaintiffs and the City that includes much of the same language. To make his point further, he allowed the City to speak about how well the order was working. In a remarkable development, the City relayed its support of the plaintiffs' request for a TRO against the federal defendants. DOJ did not have a direct response to this point.

Seeing the writing on the wall, DOJ attempted to limit the scope of such an order, arguing there was no need for prohibiting the arrest of journalists or the taking of their equipment because there is no evidence the federal defendants have engaged in those activities. DOJ also asked for there to be a specific intent component to the TRO. Judge Simon noted these arguments but appeared to signal he would issue a TRO with similar language to the TRO issued against the City.

Judge Simon clearly indicated that he is inclined to issue a TRO and noted the importance of journalists providing the public with information about events involving the Government. DOJ argued that it would prefer a preliminary injunction, which it could immediately appeal. Judge Simon indicated that he would likely issue a TRO. The Judge also indicated that he is willing to work with the parties if the TRO proves unworkable. (b)(5)

(b)(5)

We will keep you posted. Please let us know if you have questions or if you would like to discuss. Thanks very much.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Monday, July 20, 2020 8:27 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,  
RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd  
C (EAC OFO); (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K  
(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- TRO Motion Filed in District of Oregon

Commissioner and Deputy Commissioner – We write to update you on the temporary restraining order request filed in Portland against DHS and the U.S. Marshals Service on Friday, July 17. As you may be aware, on June 28, several journalists and legal observers filed a class action complaint against the City of Portland alleging that police officers used force to dissuade and prevent them from covering protests after the death of George Floyd. The news organization, Index Newspapers LLC, was later added as a plaintiff. The plaintiffs obtained a TRO against Portland on July 2. The TRO indicated that Portland police officers may not arrest, threaten to arrest, or use force against journalists or legal observers unless they have probable cause to believe that the journalist or legal observer has committed a crime, and that journalists and legal observers may remain at the scene of a protest after officers give an order for protestors to disperse. Additionally, the TRO indicates that officers shall not seize photographic or audio recording equipment from journalists or legal observers.

Late Friday, July 17, the plaintiffs amended their complaint to add DHS and USMS as defendants and subsequently requested a TRO against the federal defendants. The TRO requests essentially the same injunctive relief that the Court granted in its TRO against the Portland Police. In their request for a TRO, the plaintiffs allege that journalist Mathieu Lewis-Roland was covering protests near the Portland federal courthouse in the early hours of July 12, wearing a t-shirt that clearly identified him as press. The plaintiffs further allege that when federal agents emerged from the courthouse to disperse protesters they ventured off federal property, “chased” Mr. Lewis-Roland, and shot him ten times in the side and back with plastic bullets, causing “wounds, lacerations, and contusions.” The plaintiffs separately allege that journalist Garrison Davis was covering the same protest wearing a press helmet and carrying a visible press pass. The plaintiffs allege federal agents fired a canister of tear gas into Mr. Davis’ back and “shot directly at him with pepper bullets and other munitions.”

To obtain a TRO, the plaintiffs must establish (1) a likelihood of success on the merits of their claim for injunctive relief; (2) a likelihood of irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in their favor; and (4) a preliminary injunction is in the public interest. The plaintiffs argue they will succeed on the merits because they were engaged in First Amendment-protected activities at a public location and that the federal defendants retaliated against them for participation in those activities. The plaintiffs appear to argue that the fact the federal defendants knew they were engaged in these activities and then proceeded to shoot at them anyway constitutes retaliation. The plaintiffs argue that there is a high likelihood of irreparable harm, as well as a public interest in granting the TRO, because the federal defendants’ actions prevent the plaintiffs from documenting the protests and the conduct of the federal defendants at those protests.



The DHS opposition to the TRO motion is due at 5:00pm PT tomorrow, and the plaintiff's reply is due on Wednesday. The Court will hold a hearing on the TRO motion on Thursday, July 23.

(b)(5)

(b)(5)

Please let us know if you have questions or would like to discuss. We will continue to keep you posted regarding significant developments in this litigation.

Bennett Courey

CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney Client Privileged \*\*~~

Message

**From:** PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C)  
**Sent:** 8/25/2020 1:49:42 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Fwd: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today  
**Attachments:** Index Newspapers Portland Civil Unrest Preliminary Injunction 8-20-20.pdf; PI Guidance - Index Newspapers.pdf

FYI

Tony Porvaznik  
 Acting Chief  
 USBP/HQ/LEOD  
 (b)(6), (b)(7)(C) (desk)  
 (b)(6), (b)(7)(C) (cell)

**From:** COUREY, MARC BENNETT (OCC); (b)(6), (b)(7)(C)  
**Sent:** Monday, August 24, 2020 9:34:20 PM  
**To:** MORGAN, MARK A; (b)(6), (b)(7)(C) PEREZ, ROBERT E; (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W; (b)(6), (b)(7)(C) SCOTT, RODNEY S; (b)(6), (b)(7)(C) ORTIZ, RAUL L; (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO); (b)(6), (b)(7)(C) FORET, VERNON T; (b)(6), (b)(7)(C) FERRARA, WILLIAM; (b)(6), (b)(7)(C) SABATINO, DIANE J; (b)(6), (b)(7)(C) FALK, SCOTT K (OCC); (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC); (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC); (b)(6), (b)(7)(C) (OCC)  
 (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C)  
 (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C) (OCC); (b)(6), (b)(7)(C)  
**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today

Commissioner and Deputy Commissioner – As we relayed last week, on August 20, the U.S. District Court in Oregon issued a Preliminary Injunction pertaining to DHS enforcement activities in Portland relating to journalists and legal observers. One of the terms of the Preliminary Injunction is a requirement to provide verbatim copies of the first seven provisions of the Preliminary Injunction (pages 58-61 of the attached) to (1) all employees, officers and agents currently assigned or deployed in Portland, Oregon as part of Operation Diligent Valor; (2) any employees, officers or agents who are subsequently deployed to Portland, Oregon as part of Operation Diligent Valor; and (3) all employees with any supervisory or command authority over any persons deployed to Portland, Oregon as part of Operation Diligent Valor.

CBP personnel either in or deployed to Portland or with supervisory or command authority over any personnel deployed to Portland as part of Operation Diligent Valor are required to read the seven operative sections of the Preliminary Injunction. Additionally, the attached PI Guidance offers explanation and context of each section of the PI. (b)(5)  
 (b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courney  
 CBP Associate Chief Counsel (Enforcement and Operations)  
 (b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)  
 \*\* Attorney Work Product / Attorney-Client Privileged \*\*

**From:** COUREY, MARC BENNETT (OCC)  
**Sent:** Thursday, August 20, 2020 8:33 PM

To: MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
Cc: SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,  
RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd  
C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) SABATINO, DIANE J (b)(6), (b)(7)(C) FALK, SCOTT K  
(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY  
(OCC) (b)(6), (b)(7)(C) (OCC)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- Preliminary Injunction Ordered Today

Commissioner and Deputy Commissioner – This afternoon, Judge Simon issued the attached Preliminary Injunction against the U.S. Government, including the Department of Homeland Security. The terms of the Preliminary Injunction are very similar to those outlined in the Temporary Restraining Order issued on July 23 and extended on August 6. In short, the Federal Defendants are enjoined from the following:

1. Arresting, threatening to arrest, or using physical force directed against any person whom they know or reasonably should know is a Journalist or Legal Observer, unless the Federal Defendants have probable cause to believe that such individual has committed a crime. Further, Journalists and Legal Observers are not required to disperse following the issuance of an order to disperse.
2. Seizing any photographic equipment or ordering such person to stop photographing, recording, or observing a protest, unless the Federal Defendants are also lawfully seizing that person.
3. If Federal Defendants seize property from a Journalist or Legal Observer, such Federal Defendant shall, as soon thereafter as is reasonably possible, make a written list of things seized and shall provide a copy of that list to the Journalist or Legal Observer.
4. The Judge outlined what might be considered indicia of being a Journalist to include: visual identification as a member of the press, such as by carrying a professional or authorized press pass, carrying professional gear such as professional photographic equipment, or wearing a professional or authorized press badge or other official press credentials, or distinctive clothing, that identifies the wearer as a member of the press. Of note, the Judge also indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities, would also equate to indicia of being a Journalist. This was a modification to the TRO terms.
5. The Judge also outlined what might be considered indicia of being a Legal Observer to include: wearing a green National Lawyers Guild-issued or authorized Legal Observer hat (typically a green NLG hat) or wearing a blue ACLU-issued or authorized Legal Observer vest. Again, the Judge indicated that standing off to the side of a protest, not engaging in protest activities, and not being intermixed with persons engaged in protest activities would also equate to indicia of being a Legal Observer. This was a modification to the TRO terms.
6. The Federal Defendants are not precluded from issuing otherwise lawful crowd-dispersal orders for a variety of lawful reasons and shall not be liable for violating this injunction if a Journalist or Legal Observer is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed after the issuance of an otherwise lawful dispersal order.

A matter of contention and extensive testimony through declarations included whether Federal Defendants would be ordered to wear additional unique identifying markings. Judge Simon ordered the parties to confer regarding the placement of unique identifying markings on uniforms and/or helmets so that they can be identified at a reasonable distance and without unreasonably interfering with the operational needs of the officers/agents. We expect additional litigation over this matter and will keep you updated.

Finally, we were ordered to provide the terms of the Preliminary Injunction to the officers/agents (and their supervisors) currently operating within Portland in support of FPS within 14 days. (b)(5)

(b)(5)

(b)(5)

Please let us

know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

~~\*\*\* Attorney Work Product / Attorney Client Privileged \*\*\*~~

**From:** COUREY, MARC BENNETT (OCC) (b)(6), (b)(7)(C)  
**Sent:** Thursday, August 6, 2020 7:06 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,  
RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd  
C (EAC OFO) (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K  
(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C)

**Subject:** RE: Index Newspapers -- Portland Civil Unrest Litigation -- TRO Extended

Commissioner and Deputy Commissioner -- The attached Temporary Restraining Order that was issued on July 23, 2020, against the U.S. Government, including the Department of Homeland Security, was extended by Judge Simon today for an additional 14 days. This extended TRO will expire on August 20 at 5:00pm PT. Judge Simon denied our motion for reconsideration wherein we argued that the TRO was unworkable for various reasons, including that demonstrators were masquerading as press and perpetrating acts of violence.

The Preliminary Injunction Hearing is calendared for August 18. (b)(5)

(b)(5)

Please let us know if you have any questions or would like to discuss. Thank you.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

~~\*\*\* Attorney Work Product / Attorney Client Privileged \*\*\*~~

**From:** COUREY, MARC BENNETT (OCC)  
**Sent:** Thursday, July 23, 2020 7:14 PM  
**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)  
**Cc:** SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ,  
RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd  
C (EAC OFO) (b)(6), (b)(7)(C); FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K  
(OCC) (b)(6), (b)(7)(C) WILLIAMS, MARTA (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C)  
(OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA,  
WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- Portland Civil Unrest Litigation -- TRO Likely/Imminent

Commissioner and Deputy Commissioner – The hearing for the *Index Newspapers* TRO was held earlier today in Portland and we wanted to provide you a brief summary and also notify you of the likelihood that a 14-day TRO will be granted with regard to the use of force and arrests against and of journalists and legal observers. Present at the hearing was attorney Matthew Borden for the plaintiffs and Main DOJ Civil (attorney Andrew Warden) representing the Government. The plaintiffs argued they have presented voluminous evidence (approximately 20 declarations) showing the federal defendants are harming identifiable journalists and legal observers in Portland, chilling free speech. The plaintiffs further argued they will suffer harm in the future because they are continuing to attend these protests and have suffered similar harm even after the TRO was filed.

DOJ argued, as it did at the Oregon AG TRO hearing yesterday, that a TRO would chill officers from making split-second decisions necessary to protect themselves and federal property. DOJ also argued that there is no evidence the federal defendants targeted or retaliated against any individual because the individual is a journalist or legal observer. DOJ further argued that extending the judge's TRO against the City of Portland to the federal defendants would be unworkable. Under that TRO, journalists and legal observers with certain identifiable characteristics are not required to disperse when the City issues a crowd control order. DOJ argued that officer safety would be at risk if the federal defendants' agents need to take extra time to determine whether an individual is a protestor, who must disperse, or a journalist, who may remain. Finally, DOJ argued the plaintiffs have other forms of relief available to them, such as *Bivens* claims, which are more appropriate than a TRO.

Judge Simon went through a series of questions and made comments that appeared damaging to the Government's arguments. Judge Simon asked whether DOJ had any evidence that journalists or legal observers caused any damage to federal property. DOJ indicated it had no such evidence. The Judge then pointed out that when someone is identified as a journalist and there is no probable cause to believe the individual committed any crime and the individual is then shot at with rubber bullets, the harm can reasonably be inferred to be because the individual is a journalist. Next, the Judge asked the Government why a TRO with language mirroring the TRO issued against the City would be unworkable when that TRO has worked well and led to a stipulated preliminary injunction between the plaintiffs and the City that includes much of the same language. To make his point further, he allowed the City to speak about how well the order was working. In a remarkable development, the City relayed its support of the plaintiffs' request for a TRO against the federal defendants. DOJ did not have a direct response to this point.

Seeing the writing on the wall, DOJ attempted to limit the scope of such an order, arguing there was no need for prohibiting the arrest of journalists or the taking of their equipment because there is no evidence the federal defendants have engaged in those activities. DOJ also asked for there to be a specific intent component to the TRO. Judge Simon noted these arguments but appeared to signal he would issue a TRO with similar language to the TRO issued against the City.

Judge Simon clearly indicated that he is inclined to issue a TRO and noted the importance of journalists providing the public with information about events involving the Government. DOJ argued that it would prefer a preliminary injunction, which it could immediately appeal. Judge Simon indicated that he would likely issue a TRO. The Judge also indicated that he is willing to work with the parties if the TRO proves unworkable. (b)(5)

(b)(5)

We will keep you posted. Please let us know if you have questions or if you would like to discuss. Thanks very much.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~

**From:** COUREY, MARC BENNETT (OCC)

**Sent:** Monday, July 20, 2020 8:27 PM

**To:** MORGAN, MARK A (b)(6), (b)(7)(C) PEREZ, ROBERT E (b)(6), (b)(7)(C)

Cc: SEGUIN, DEBBIE W (b)(6), (b)(7)(C) SCOTT, RODNEY S (b)(6), (b)(7)(C) ORTIZ, RAUL L (b)(6), (b)(7)(C) PORVAZNIK, ANTHONY J (b)(6), (b)(7)(C) Owen, Todd C (EAC OFO) (b)(6), (b)(7)(C) FORET, VERNON T (b)(6), (b)(7)(C) FALK, SCOTT K (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) STUNTZ, SHELBY (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) (OCC) (b)(6), (b)(7)(C) FERRARA, WILLIAM (b)(6), (b)(7)(C) JACKSTA, LINDA L (b)(6), (b)(7)(C)

**Subject:** Index Newspapers -- TRO Motion Filed in District of Oregon

Commissioner and Deputy Commissioner – We write to update you on the temporary restraining order request filed in Portland against DHS and the U.S. Marshals Service on Friday, July 17. As you may be aware, on June 28, several journalists and legal observers filed a class action complaint against the City of Portland alleging that police officers used force to dissuade and prevent them from covering protests after the death of George Floyd. The news organization, Index Newspapers LLC, was later added as a plaintiff. The plaintiffs obtained a TRO against Portland on July 2. The TRO indicated that Portland police officers may not arrest, threaten to arrest, or use force against journalists or legal observers unless they have probable cause to believe that the journalist or legal observer has committed a crime, and that journalists and legal observers may remain at the scene of a protest after officers give an order for protestors to disperse. Additionally, the TRO indicates that officers shall not seize photographic or audio recording equipment from journalists or legal observers.

Late Friday, July 17, the plaintiffs amended their complaint to add DHS and USMS as defendants and subsequently requested a TRO against the federal defendants. The TRO requests essentially the same injunctive relief that the Court granted in its TRO against the Portland Police. In their request for a TRO, the plaintiffs allege that journalist Mathieu Lewis-Roland was covering protests near the Portland federal courthouse in the early hours of July 12, wearing a t-shirt that clearly identified him as press. The plaintiffs further allege that when federal agents emerged from the courthouse to disperse protesters they ventured off federal property, “chased” Mr. Lewis-Roland, and shot him ten times in the side and back with plastic bullets, causing “wounds, lacerations, and contusions.” The plaintiffs separately allege that journalist Garrison Davis was covering the same protest wearing a press helmet and carrying a visible press pass. The plaintiffs allege federal agents fired a canister of tear gas into Mr. Davis’ back and “shot directly at him with pepper bullets and other munitions.”

To obtain a TRO, the plaintiffs must establish (1) a likelihood of success on the merits of their claim for injunctive relief; (2) a likelihood of irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in their favor; and (4) a preliminary injunction is in the public interest. The plaintiffs argue they will succeed on the merits because they were engaged in First Amendment-protected activities at a public location and that the federal defendants retaliated against them for participation in those activities. The plaintiffs appear to argue that the fact the federal defendants knew they were engaged in these activities and then proceeded to shoot at them anyway constitutes retaliation. The plaintiffs argue that there is a high likelihood of irreparable harm, as well as a public interest in granting the TRO, because the federal defendants’ actions prevent the plaintiffs from documenting the protests and the conduct of the federal defendants at those protests.

The DHS opposition to the TRO motion is due at 5:00pm PT tomorrow, and the plaintiff’s reply is due on Wednesday. The Court will hold a hearing on the TRO motion on Thursday, July 23.

(b)(5)

Please let us know if you have questions or would like to discuss. We will continue to keep you posted regarding significant developments in this litigation.

Bennett Courey  
CBP Associate Chief Counsel (Enforcement and Operations)

(b)(6), (b)(7)(C) / (b)(6), (b)(7)(C)

~~\*\* Attorney Work Product / Attorney-Client Privileged \*\*~~



**(b)(6), (b)(7)(C)**

FPS IMC

**(b)(6), (b)(7)(C)**

CUSTER, CORY J

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(OCC)

**(b)(6), (b)(7)(C)**

Phillips, Shawn

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

'NOC.NDD'

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C), (b)(7)(E)**

CBP HQ EOC EOC

**(b)(6), (b)(7)(C)**

AMOC WATCH

**(b)(6), (b)(7)(C), (b)(7)(E)**

**(b)(7)(E)**

LEOD-OPS-CELL

**(b)(7)(E)**

Ops ACC Distro

**(b)(6), (b)(7)(C)**

DANLEY, ROBERT

**(b)(6), (b)(7)(C)**

BEMILLER, DAVID S

**(b)(6), (b)(7)(C)**



<b>(b)(6), (b)(7)(C)</b>		HEITKE, AARON M
<b>(b)(6), (b)(7)(C)</b>		
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		OPS SPECIAL
OPERATIONS	<b>(b)(7)(E)</b>	
<b>(b)(7)(E)</b>		SOG EOC
<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		
<b>(b)(6), (b)(7)(C)</b>		SABATINO, DIANE J
<b>(b)(7)(E)</b>		SITROOM
<b>Subject:</b>	CBP RESPONSE: (U// <del>LES</del> ) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (NOC <b>(b)(7)(E)</b> )	

Good morning,

Please see the CBP response to NOC **(b)(7)(E)** regarding Law Enforcement Support in Portland, Oregon.

**CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020:**

At 1200 PST, August 22, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the **(b)(7)(E)** and **(b)(7)(E)**. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

On today's date, "Mother of All Back the Blue Rallies" and "Americans against Marxism" scheduled and are conducting rallies at the Justice Center and Terry Schrunk Plaza (TSP). Counter protesters "ANTIFA" and "BLM" are also at the Justice Center and TSP. These opposing groups are physically engaging each other.

**CBP MANPOWER 08/22/20 **(b)(7)(E)** CBP Personnel**

- **(b)(7)(E)** SOG BTC
- **(b)(7)(E)** SOG BST
- **(b)(7)(E)** SOG **(b)(7)(E)**
- **(b)(7)(E)** OFO SRT
- **(b)(7)(E)** OPR
- **(b)(7)(E)** EPT MRT
- **(b)(7)(E)** SDC MRT
- **(b)(7)(E)** DTM BTC
- **(b)(7)(E)** DTM BST
- **(b)(7)(E)** ELC BTC

- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

08/22/20 at 1130 hours PST: FPS officers staged at the (b)(7)(E). CBP personnel held a QRF posture at (b)(7)(E) (b)(7)(E).

08/22/20 at 1320 hours PST: Protesters (Back the Blue)/counter protesters (Black Lives Matter) physically engaging each other/physical fighting on Third and Madison in front of the Portland Justice Center.

08/22/20 at 1426 hours PST: Portland Police Bureau (PPB) reported to the EOC a gunshot in vicinity of the downtown area. (b)(7)(E) No FPS or CBP personnel heard the shot. No injuries reported. Rocks were being thrown during this time.

08/22/20 at 1435 hours PST: Protesters/counter protesters begin to move toward the TSP.

08/22/20 at 1445 hours PST: FPS coordinated with PPB and multiple unlawful assembly announcements were given at the TSP.

08/22/20 at 1453 hours PST: Hard objects were thrown at the FPS officers staged at the (b)(7)(E).

08/22/20 at 1455 hours PST: FPS began to clear the (b)(7)(E). CBP personnel did not deploy and maintained a QRF posture at (b)(7)(E).

08/22/20 at 1515 hours PST: FPS officers have returned to the Edith Green building.

Final Update:

08/22/20 at 2300 hours PST:

- No one gathered in the downtown area after the initial update.
- No one gathered at the ICE Facility.
- CBP Personnel did not deploy at any time.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

Message

From:

(b)(6), (b)(7)(C)

Sent:

8/22/2020 11:19:30 PM

To:

SITROOM:

(b)(7)(E)

(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

BARKER, TONY L

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

CC:

PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

LANDRUM, RYAN P

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

LANDRUM, RYAN P

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

DANLEY, ROBERT

**(b)(6), (b)(7)(C)**

BEMILLER, DAVID S

**(b)(7)(E)**

(b)(6), (b)(7)(C)

HEITKE, AARON M

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

DANLEY, ROBERT

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

BARKER, TONY L

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(occ)

**(b)(6), (b)(7)(C)**

**Subject:** CBP Support to FPS in Portland, OR/Seattle, WA: 08/22 - 08/23 Initial Update

**CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020:**

At 1200 PST, August 22, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the **(b)(7)(E)** and **(b)(7)(E)**. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress



points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

On today's date, "Mother of All Back the Blue Rallies" and "Americans against Marxism" scheduled and are conducting rallies at the Justice Center and Terry Schrunk Plaza (TSP). Counter protesters "ANTIFA" and "BLM" are also at the Justice Center and TSP. These opposing groups are physically engaging each other.

**CBP MANPOWER 08/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC (b)(7)(E)

08/22/20 at 1130 hours PST: FPS officers staged at the (b)(7)(E) CBP personnel held a QRF posture at (b)(7)(E) (b)(7)(E)

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08/22/20 at 1453 hours PST: Hard objects were thrown at the FPS officers staged at the (b)(7)(E)

08/22/20 at 1455 hours PST: FPS began to clear the (b)(7)(E) CBP personnel did not deploy and maintained a QRF posture at (b)(7)(E)

08/22/20 at 1515 hours PST: FPS officers have returned to the Edith Green building.

Updates to follow.

(b)(6), (b)(7)(C)

Supervisory Border Patrol Agent  
Special Operations Group BORTAC

(b)(6), (b)(7)(C)



Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 8/19/2020 5:18:38 PM  
**To:** PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C); LANDRUM, RYAN P  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
**CC:** LEOD-OPS-CELL; (b)(7)(E)  
(b)(6), (b)(7)(C), (b)(7)(E)  
**Subject:** BUN/NIB Support NTPD - August 19, 2020  
**Attachments:** NIB - NTPD Assist EXEC SUM (19 AUG 2020).pptx

Chief:

Please see attached Support Request and the summary below. This is the 2<sup>nd</sup> iteration of an SR submitted and approved on August 13.

Recommend Approval.

Thank you,

**BUN/NIB Support to North Tonawanda PD – August 19, 2020**

**BLUF:** On August 19, 2020 at the request of North Tonawanda PD, BUN/NIB will support local law enforcement partners with additional manpower and capabilities to protect the life and safety of first responders and the general public. This is in response to social media posts indicating a demonstration is being organized to take place outside NTPD Headquarters. Social media also indicates a counter-protest is being mobilized in response. Agents will (b)(7)(E) (b)(7)(E) only engage if called upon by local officials.

- (b)(7)(E) NIB SBPA assigned to assist with coordination efforts in the event additional resources are required
- (b)(7)(E) NIB BPAs to support as third line (b)(7)(E)
- (b)(7)(E) patrol vehicle.

(b)(6), (b)(7)(C)  
Assistant Chief – LEOD OPs Cell  
US Border Patrol Headquarters  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)

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Message

**From:** SITROOM: (b)(7)(E)  
(b)(7)(E)

**Sent:** 8/1/2020 10:43:04 AM

**To:** SABATINO, DIANE J (b)(7)(E)  
(b)(7)(E) AMOC WATCH  
(b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C) BOYER, STEPHEN A  
(b)(6), (b)(7)(C) BP INTEL FIELD PAICs-  
DPAICs (b)(7)(E)  
(b)(7)(E) BPHQG2  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) CBP HQ EOC EOC  
Director: (b)(7)(E)  
(b)(7)(E) CBP SITROOM- SWOS  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) COLLINS, JAMES L.  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) CUSTER, CORY J  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) (CTR)  
(b)(6), (b)(7)(C) FERRARA, WILLIAM  
**(b)(6), (b)(7)(C)** FORET, VERNON T  
FPS IMC  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) JACKSTA, LINDA L  
**(b)(6), (b)(7)(C)**

(OCC)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	(CTR)
	(b)(6)		LANDRUM, RYAN P
	<b>(b)(6), (b)(7)(C)</b>		
	(b)(6), (b)(7)(C)		MANDRYCK, JAMES R
	(b)(6), (b)(7)(C)		MICHELINI, DENNIS J
(CTR)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	MORGAN, MARK A
	<b>(b)(6), (b)(7)(C)</b>		
	(b)(6), (b)(7)(C)		'NOC.NDD'
(b)(6)	NOC.SWO.Restricted	(b)(6)	
	<b>(b)(6), (b)(7)(C)</b>		
	(b)(6), (b)(7)(C)		ORTIZ, RAUL L
	(b)(6), (b)(7)(C)		Owen, Todd C (EAC)
(OFO)	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	
	(b)(6), (b)(7)(C)		PEREZ, ROBERT E
	(b)(6), (b)(7)(C)		Phillips, Shawn
	(b)(6), (b)(7)(C)		PORVAZNIK, ANTHONY J
	(b)(6), (b)(7)(C)		
	(b)(6), (b)(7)(C)		SABATINO, DIANE J
	(b)(6), (b)(7)(C)		
	<b>(b)(6), (b)(7)(C)</b>		SCOTT, RODNEY S
	(b)(6), (b)(7)(C)		SCUDDER, KATHLEEN
	(b)(6), (b)(7)(C)		SEGUIN, DEBBIE W
	<b>(b)(6), (b)(7)(C)</b>		
	(b)(6), (b)(7)(C)		USBP-NTC Managers
	<b>(b)(6), (b)(7)(C), (b)(7)(E)</b>		

(b)(6), (b)(7)(C)

WATCH CBP INTEL

(b)(7)(E)

YOUNG, EDWARD E

(b)(6), (b)(7)(C)

CC: SITROOM: (b)(7)(E)  
(b)(7)(E)

Subject: 01 August 2020 1000 hours report CBP RESPONSE: (U//~~LES~~) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (NOC: (b)(7)(E))

Attachments: 01Aug2020 1000 4th of July Support\_.docx

Good Morning:

Please see the attached 1000 hours report for 08/01/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUE:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 29<sup>th</sup> night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 1,200 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No injuries reported.  
Arrests: 0

**CBP Portland Team Sit Rep 7/31/2020 to 08/01/2020:**

At 1700 PST, July 31, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) CBP Office of Intelligence

AMO has scheduled flights tonight from 2300 – 0200 hours PST. (b)(7)(E)

**CBP MANPOWER 7/31/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) OTD
- (b)(7)(E) OPA

- (b)(7)(E) OPR
- (b)(7)(E) OI
- (b)(7)(E) AMO

07/31/2020 at 1933 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/31/2020 at 1948 hours PST: OSP reports a group of 100 protesters in route to the Immigration and Customs Enforcement building located on 4310 S Macadam Ave, Portland, OR, 97239. OSP and FPS responding and in route to the ICE building. Protesters never reached the ICE building, it is believed they rerouted to the Hatfield Courthouse.

07/31/2020 at 2100 hours PST: OSP (b)(7)(E) deployed for air support.

07/31/2020 at 2154 hours PST: (b)(7)(E) a Black Dodge Durango located near 2<sup>nd</sup>/ Salmon Street. Vehicle registration information returned to a subject from Battleground, Washington. Records checks revealed no wants/warrants. FPS determined the vehicle was not a threat.

07/31/2020 at 2213 hours PST: Observation Post reports approximately 500 protesters in front of the Hatfield Courthouse.

07/31/2020 at 2254 hours PST: Observation Post reports no change in crowd size (approximately 500 protesters).

07/31/2020 at 2300 hours PST: Air and Marine Office (AMO) launched (b)(7)(E) helicopter to provide over watch assistance. (b)(7)(E)

07/31/2020 at 2323 hours PST: FPS reports a two separate drones preparing to fly. First drone located near the southwest corner of the Hatfield Courthouse. Second drone located near the east side of the Hatfield Courthouse. FPS and Observation Post are monitoring the situation.

07/31/2020 at 2330 hours PST: Observation Post reports approximate crowd size of 1,200 protesters.

08/01/2020 at 0027 hours PST: FPS report an additional drone flying 30ft in the air near Third Street and Taylor. FPS has located the drone operator and confirmed visual (b)(7)(E) Drone pilot is on the roof top of a parking garage located on Third Street and Taylor. FPS has deployed agents in an attempt to conduct an arrest. FPS unable to locate the individual in the crowd.

08/01/2020 at 0115 hours PST: Observation Post reports approximate crowd size of 250 in front of the Justice Center.

08/01/2020 at 0146 hours PST: AMO concluded air operations. AMO states they will have (b)(7)(E) aircraft for tomorrow's operations.

08/01/2020 at 0208 hours PST: FPS reports that two windows have been broken by violent opportunist at the Edith Green Federal Building.

08/01/2020 at 0248 hours PST: FPS reports approximate crowd size of 30-40 in front of Hatfield Courthouse.

08/01/2020 at 0300 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.

- U.S. Marshals arrested one subject.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update

**\*USBP upcoming support San Diego Sector 8/1/2020\***

USBP San Diego Sector Special Operations Detachment (SDC/SOD) will support the La Mesa Police Department in La Mesa, California for a planned protest and potential civil unrest scheduled on August 1, 2020. The planned protest, "Planned Civil Disobedience," is scheduled to occur at 3:30 p.m. at the La Mesa Police Department. This demonstration is held in response to the Vanessa Guillen and Breonna Taylor incidents. SDC/SOD will be assisting in strictly a support capacity; Immigration authority will not be enforced at this time. SDC will support the La Mesa Police department with SOD (BORTAC/BORSTAR) agents in a support role as a force protection contingent. SDC/SOD will provide SITREPS throughout the duration of the operation. Extensive media coverage is expected.



Message

**From:** SITROOM (b)(7)(E)  
(b)(7)(E)

**Sent:** 7/31/2020 11:32:14 AM

**To:** SITROOM (b)(7)(E)

(b)(7)(E) SABATINO, DIANE J  
(b)(6), (b)(7)(C) AMOC WATCH  
(b)(6), (b)(7)(C), (b)(7)(E)  
(b)(6), (b)(7)(C) BOYER, STEPHEN A  
(b)(6), (b)(7)(C) BP INTEL FIELD PAICs-  
DPAICs (b)(7)(E)  
(b)(7)(E) BPHQG2  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
**(b)(6), (b)(7)(C), (b)(7)(E)** CBP HQ EOC EOC  
CBP SITROOM- SWOS  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) COLLINS, JAMES L.  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) CUSTER, CORY J  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) (CTR)  
(b)(6), (b)(7)(C) FERRARA, WILLIAM  
**(b)(6), (b)(7)(C)** FORET, VERNON T  
FPS IMC  
**(b)(6), (b)(7)(C), (b)(7)(E)**  
(b)(6), (b)(7)(C) JACKSTA, LINDA L  
**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(OCC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(CTR)

(b)(6), (b)(7)(C)

LANDRUM, RYAN P

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

MANDRYCK, JAMES R

MICHELINI, DENNIS J

(b)(6), (b)(7)(C)

(CTR)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

MORGAN, MARK A

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

NOC.NDD'

(b)(6)

NOC.SWO.Restricted

(b)(6)

(b)(6)

NTC-CND Managers

(b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

ORTIZ, RAUL L

(b)(6), (b)(7)(C)

Owen, Todd C (EAC)

(OFO)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PEREZ, ROBERT E

(b)(6), (b)(7)(C)

Phillips, Shawn

(b)(6), (b)(7)(C)

PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SABATINO, DIANE J

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

SCOTT, RODNEY S

(b)(6), (b)(7)(C)

SCUDDER, KATHLEEN

(b)(6), (b)(7)(C)

SEGUIN, DEBBIE W

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)	USBP-NTC Managers
(b)(6), (b)(7)(C), (b)(7)(E)	
(b)(6), (b)(7)(C)	WATCH CBP INTEL
(b)(7)(E)	YOUNG, EDWARD E
<b>(b)(6), (b)(7)(C)</b>	

CC: SITROOM (b)(7)(E)  
 (b)(7)(E)

Subject: 31 July 2020 1000 hours report CBP RESPONSE: (U//LES) OPS-NOC RFI: DHS Force Actions for Civil Disturbances (NOC (b)(7)(E)

Attachments: 31Jul2020 1000 4th of July Support\_.docx

Good Morning:

Please see the attached 1000 hours report for 07/31/2020 for Law Enforcement Support for Portland, Oregon.

Changes since yesterday's report have been highlighted below in RED

**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 28<sup>th</sup> night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 400-500 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No injuries reported.  
 Arrests: 0

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)

(b)(7)(E)

**CBP MANPOWER 7/30/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lownsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations. (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Final Update.

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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**BLUF:** (b)(7)(E) CBP personnel reported to Portland, Oregon for the 28<sup>th</sup> night of law enforcement support. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel. A group of approximately 400-500 demonstrators gathered in front of the federal property. Demonstrators remained mostly peaceful throughout the night.

No injuries reported.

Arrests: 0

**Warning Orders for Standby (WARNO)**

**U.S. Border Patrol (USBP): Issued July 03, 2020 at 1200 by USBP HQ LEOD, Rosters below**

USBP Sectors have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. USBP personnel are assigned to Special Operations teams and are trained and equipped to respond to mobile field force situations.

**Office of Field Operations (OFO): Issued July 03, 2020 at 1200 by OFO FLD, Rosters below**

OFO Field Offices have identified additional personnel that could be activated in response to support requests beyond what is pre-deployed and identified as fly away teams. OFO SRT personnel are also trained and equipped to respond to mobile field force situations. The additional CBPOs have (b)(7)(E) (b)(7)(E)

Depending on the assistance requested and the location will determine how many CBP personnel may be activated.

Over (b)(7)(E) CBP personnel took the online FPS cross designation training today.

Below includes OFO and BP

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
**Federal, State, And Local Requests For Assistance**

Deployable USBP Personnel by Sector		Deployable OFO Personnel by Field Office		
SECTOR	Available Personnel	Field Office	Available Personnel	SRT
SDC	<b>(b)(7)(E)</b>	Los Angeles	<b>(b)(7)(E)</b>	
ELC		San Diego		
YUM		Tucson		
TCA		El Paso		
EPT		Laredo		
BBT		Houston		
DRT		New Orleans		
LRT		Miami/Tampa		
RGV		Pre-Clearance (DC)		
MIP		Atlanta		
BLW		San Francisco		
SPW		Seattle		
HVM		Chicago		
GFN		Detroit		
DTM		Baltimore		
BUN		Buffalo		
SWE		New York		
HLT		Boston		
USBPHQ		San Juan		
Total		Total		

**Air and Marine Operations: Issued July 03, 2020 by AMO HQ, (b)(7)(E) Helicopters available in the NCR**

**Law Enforcement Safety and Compliance: Issued July 03, 2020 at 1200, (b)(7)(E) on immediate stand-by with additional call-ins available for NCR**

**RFA from Federal Protective Service**

**Executive Summary:**

On June 26, the President issued an Executive Order Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Activity. In this order, he directed that DHS “shall provide, as appropriate and consistent with applicable law, personnel to assist with the protection of Federal monuments, memorials, statues, or property.”

The DHS Acting Secretary, Chad F. Wolf, issued a memorandum, “DHS Support to Protect Federal Facilities and Property through July 4<sup>th</sup> Holiday Weekend,” directing that three Civil Disturbance Units (CDU) be deployed, one each to Portland, OR; Seattle, WA; and the District of Columbia, no later than 2 July to be used in a reserve force role. He further directed that (b)(7)(E) QRF CDUs be established and placed on standby to be used as a strategic reserve that can be deployed within (b)(7)(E) hours of notification by the Department. QRFs are to be established by 2 July.

CBP is also supporting additional law enforcement assistance requests over the holiday weekend.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

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**CURRENT STATUS**

From July 2<sup>nd</sup> through July 6<sup>th</sup>, 2020, **CBP will pre-deploy** agents/officers to support FPS in Portland, OR, Seattle, WA, and Washington, DC, and **maintain** agents/officers in standby through the July 4<sup>th</sup> holiday weekend in order to protect federal facilities and property.

- **Portland, OR** (b)(7)(E) PAX): USBP SOG is providing agents from El Paso, TX to support FPS in Portland, OR. Active
- **Washington, DC** (b)(7)(E) PAX): OFO SRT is providing SRT Officers to support FPS in Washington, DC. Demobilized on 7/5/20 at the conclusion of shift
- **Seattle, WA** (b)(7)(E) PAX): OFO SRT is providing SRT Officers from the Blaine POE , USBP is providing agents from the Blaine Sector (BLW) and agents from the Spokane Sector, (SPW) to support FPS in Seattle, WA. Demobilized on 7/5/20 at the conclusion of shift
- **Standby SOG RDT** (b)(7)(E) PAX): USBP SOG will maintain agents on standby in El Paso, TX, able to deploy to any location within the United States within hours of notification via AMO flight(s). Deployed on 07/04/2020 Activated 7/4/20 to Portland, OR
- **Secondary Standby Team** (b)(7)(E): LESC has identified agents/officer to assist DOI in Gettysburg if requested. OFO in Baltimore will provide officers to assist DOI if requested. Blaine Sector has an additional agents identified to support FPS in Seattle if requested.
- AMO has staged (b)(7)(E) aircraft and necessary flight crews in Corpus Christie, TX to provide air transport to the USBP SOG RDT in El Paso, TX to a location TBD. Stand by times are 1000-1800 CDT
- AMO is presently on standby at the request of the Detroit Police Department to provide air support with (b)(7)(E).
- AMO will have a Mobile Command Center stationed in Seattle to cover events in Settle and Portland.

**TRAINING**

All agents and officers will complete FPS cross designation and appropriate OCC training prior to 2 July.

- All agents and officers have complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation
- An additional CBP personnel have already completed the FPS cross designation training in June as part of previous efforts.
- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP.
- FPS Training and Professional Development Directorate and OGS/FPS Attorney Advisors are available during the training sessions to answer any questions CBP personnel have.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

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- FPS, with the consent of Acting Commissioner Morgan, issued a cross designation letter of 40 USC 1315 law enforcement authority for CBP (attached).
- OCC is coordination and providing 4<sup>th</sup> amendment and use of force refresher training to all (b)(7)(E) CBP personnel supporting FPS (same as they did for the NCR response in June)

**PATH FORWARD**

- Seattle Team: Beginning Friday July 3<sup>rd</sup>, USBP and OFO personnel will stage at the (b)(7)(E) (b)(7)(E) in Seattle with FPS for a 1400-0200 (PDT) shift.
- Portland Team: Beginning Friday July 3<sup>rd</sup> from 1400-0200 (PDT) USBP SOG team will split into two tactical teams to assist in the protection of Federal property. One team will be located in the (b)(7)(E) and the second team will be in the (b)(7)(E) (b)(7)(E) SUAS will provide (b)(7)(E) from the (b)(7)(E) in order to assist the teams with over watch and situational awareness.
- Washington D.C. Team: Beginning Friday July 3<sup>rd</sup>, OFO SRT will stage at the (b)(7)(E) (b)(7)(E) on standby to support FPS from 1400-0200 (EDT). Team leader meeting will be at the Maritime Plaza at 1500hrs.

**RFA REQUEST FOR CONTINGENCY PLANNING IN ST. LOUIS, MISSOURI**

From DHS OPS:

**BLUF**: At this time for St. Louis, the FBI continues to plan on having adequate resources in the city and do not have plans on utilizing DHS contingency forces at this time. Therefore, DHS will only execute our contingency if something totally unexpected were to occur. At this point, there is a low probability that any DHS forces will be needed in St. Louis.

FBI and DOJ forces along with other State/local agencies have the situation well in hand. That said, DHS OPS is offering contingencies.

1. **Air surveillance**: CBP/AMO can offer up (b)(7)(E) and (b)(7)(E) with (b)(7)(E) capability. It will take these aircraft approximately (b)(7)(E) hours to get on scene from initial request (about (b)(7)(E) hours for pre-flight preps and about (b)(7)(E) hours flight time to St. Louis).
2. **Ground Forces**: In addition to funding limitations noted last evening and authorities issues
  1. **FPS**:
    1. Inside St. Louis, FPS will have (b)(7)(E) District Commander, (b)(7)(E) Area Commanders and (b)(7)(E) officers (total (b)(7)(E)). Within a (b)(7)(E) hour radius of St. Louis, FPS could call in an additional (b)(7)(E) officers for a maximum of (b)(7)(E).
    2. FPS will also provide LNOs to the various command posts and EOC inside St. Louis for coordination.

Office: CBP SITROOM- Senior Watch Officer  
 Updated: July 30, 2020, 1000hrs



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
 Federal, State, And Local Requests For Assistance**

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3. FPS was going to inquire with SAC on how to get local authorities/powers cross-designated to DHS LEOs if DHS LEOs were requested for support off of Federal property. If used for security around federal facilities, we are all set with our own organic authorities to include other DHS components who could be brought in to augment FPS. Currently though, no DHS component has LE powers off of federal property unless the locals convey such authority. If your SAC ever sought about using DHS LEOs in that role, we would seek assistance in coordinating with the locals to get the appropriate legal authorities cross-designated to DHS.
  4. Funding for DHS support on non-federal property is the other issue requiring a funding solution to avoid an Anti-Deficiency Act (ADA) violation. Funding is a non-issue if DHS is kept to securing federal property.
2. **ICE:**
1. ICE has a standby Rapid Deployment Team of [REDACTED] on a [REDACTED] at Benning, GA. If additional DHS ground forces were requested, we would launch this team first. USCG would be the transport provider. Once this team arrived in St. Louis, the aircraft could gas up and relaunch to Detroit to pick up the ICE team and return to St. Louis.
  2. Both teams in GA and MI are proactively working to get USMS deputization completed today. If this ICE contingency were utilized and the team(s) were employed off federal property, they would both need local authorities transferred as well. And there's the funding piece noted above for off federal property support.
3. USCG
1. USCG can transport the ICE team(s) as noted above.

**RFA for CBP from  
 STATE and LOCAL LAW ENFORCEMENT**

- Detroit, MI: AMO is on standby to support an Air Support Request (ASR) for the Detroit Police Department (DPD)
  - Updates to follow

**CBP Seattle Team Sit Rep 7/4/20: USBP agents deployed to assist FPS**

- U.S. Border Patrol, Blaine Sector (BLW) received a request for assistance from the Federal Protective Service (FPS) Region 10 Director for agent support to provide critical infrastructure protection in Seattle at two locations. Protests are expected at several locations in Seattle on or surrounding the July 4 Independence Day holiday weekend. FPS has requested USBP assistance to augment FPS personnel on site at the Federal buildings and Federal statues in Seattle, WA. A total of [REDACTED] BLW SOD/MFF and [REDACTED] SPW/MRT trained agents will be deployed to these two locations in Seattle, WA: [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E) and the [REDACTED] (b)(7)(E)

- **TIMELINE (PDT):**

0100

- All Seattle agents and officers are secure for the night.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection  
4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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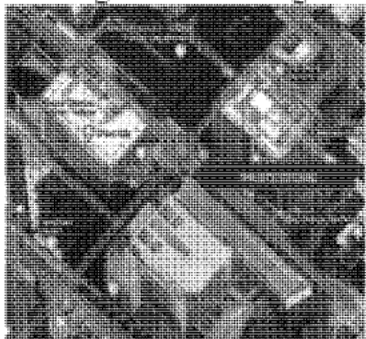
- FPS Seattle is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

2337

- 700 Stewart Courthouse-
  - 30 protesters still in front of Seattle PD. No change and no interaction with courthouse.

2236

- Protesters are peaceful and just sitting on the ground in front of the Seattle PD at 8th and Virginia near 700 Stewart Courthouse. Size is still approximately 30.
- 
- 07/03/2020 2141 - U.S. District Courthouse -Approximately 30 protestors on the north corner of the building at 8th and Virginia St.



- 07/03/2020 2022
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1916
  - Henry Jackson Federal Building
    - No activity
  - Nakamura U.S. Federal Courthouse
    - No activity
  - U.S. District Courthouse
    - No activity
- 07/03/2020 1815
  - Henry Jackson Federal Building
    - All protestors have departed.

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**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building
    - Peaceful
- 07/03/2020 1730
  - Henry Jackson Federal Building
    - Protestors are still in front of the building.
    - Peaceful
- 07/03/2020 1602
  - All personnel are posted at their respective locations.
    - Currently no activity.
  - Communications
    - (b)(7)(E)
  - Nakamura U.S. Federal Courthouse
    - 1010 5th Avenue, Seattle, WA 98104
    - 47°36'27.468                      122° 19' 57.936
    - (b)(7)(E) USBP Agents assigned to this location.



- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468                      122° 20' 4.848
  - (b)(7)(E) USBP Agent
  - FPS Command Staff

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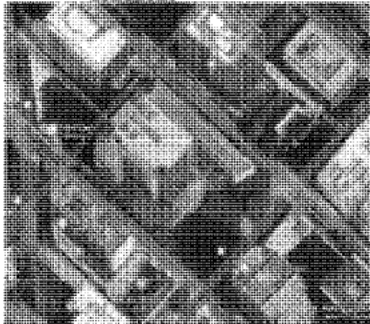
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- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856      122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents



- 07/03/2020 1400
  - (b)(7)(E) USBP agents on duty and traveled to the (b)(7)(E) (b)(7)(E) At 1500hrs agents will have a meeting to receive updated intel and daily assignment.
- 07/03/2020 1300
  - Port Angeles Emergency Operations Center is operational.
- 07/02/2020 1430
  - BLW personnel checked into hotel in Seattle. (b)(7)(E) (b)(7)(E)
- 07/02/2020 1200
  - (b)(7)(E) BLW MFF personnel depart on travel to Seattle.
- 07/02/2020 0830
  - OCC legal review conducted for BLW and SPW personnel.

**CBP Seattle Team Sit Rep 7/4/20 to 7/5/20:**

- Seattle Team: 1400-0200 hours (PDT) shift

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- (b)(7)(E) CBP personnel are staged at three locations to provide support to FPS if requested.
- (b)(7)(E) Seattle (b)(7)(E) pax)
- (b)(7)(E) Seattle (b)(7)(E) pax)
  - CBPO (b)(6), (b)(7)(C) CBPO (b)(6), (b)(7)(C)
  - (b)(7)(E) ICE ERO SRT located here as well
- (b)(7)(E) Seattle (b)(7)(E) pax / Command post)
  - PAIC
- At 0153 hours PST, social media is showing approximately 200 protesters possibly heading to Seattle PD West Precinct near 700 Stewart Courthouse
- No other activity reported
- Seattle FPS has also told the CBP team that they are not going to need any further assistance. There has been no activity and zero deployments by CBP personnel in Seattle. Those agents are TDY and will return to their assigned Sector / Field Office as soon as possible.
- CBP team demobilized at the conclusion of their shift on July 5<sup>th</sup> and returned to their assigned Sector / Field Office.

**CBP Washington D.C. Team Sit Rep 7/3/20 to 7/4/20:**

No activity reported and no deployment of CBP personnel during the shift.

- 1200 (EDT): (b)(7)(E) SRT Personnel and (b)(7)(E) OFO EMT reported for duty to (b)(7)(E)
- 1500: Conducted leadership brief at FPS Region 11 HQ, at 1201 M Street SE.
- 1545: Conducted "Leader's Recon" at the RRB with all team members (FPS, OFO, ICE).
- 1700-2445: Per FPS guidance; periodically sent (b)(7)(E)
- (b)(7)(E)
  - 2055: Request from FPS to monitor protestors from pro-Trump and BLM protest at Freedom Plaza. Peaceful and dispersed shortly after.
- 0100: End of shift

**CBP Washington D.C. Team Sit Rep 7/4/20 to 7/5/20:**

- 1400 to 0200 hours (EDT) shift
  - (b)(7)(E) OFO SRT officers were staged at the (b)(7)(E) to provide support to FPS if requested
  - Throughout the shift, an OFO (b)(7)(E)
  - (b)(7)(E)
  - OFO SRT received (b)(7)(E)
  - (b)(7)(E) and Publicly Available Information Group (PAIG) throughout the shift for crowd developments within FPS Zone 1 and 2.
  - No activity was reported throughout the shift
  - OFO SRT officers have concluded their shift
  - FPS has stated that they do not require any further assistance in the National Capital Region and are no longer requesting support from CBP.

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**BLUF:** OPSDEPs unanimously concurred on launching the strategic RDT from El Paso, TX to Portland, OR. USBP team with AMO air transport actively preparing to launch to have reinforcements in Portland by tonight.

**Goal:** Allow Federal LEOs to take a more aggressive, proactive posture to protect the federal courthouse from further acts of aggression and hold perpetrators accountable by making federal arrests.

**Specifics:**

- Given the violence and stalemate over the last several nights, the FPS Regional Director requested additional reinforcements for tonight.
- Reps from the following components were on the call: FPS, CBP, ICE, TSA, USSS, USCG, I&A, OGC and OPS.
- DHS still has 2 remain strategic RDTs: an ICE team in GA and another ICE team in CA.
- The OPSDEPs reviewed current national intelligence and nothing else is currently on the horizon as a possible mission for this team.
  - Non-violent first amendment protests in DC
  - Protests in Aurora, CO associated with Aurora PD
  - Ongoing protests in Portland, OR (subject of our call)
  - Protests in Richmond, VA
  - Protests with the possibility of escalating violence at Gettysburg
    - Opposing groups are at the cemetery in a shouting match
    - Armed milita groups
    - Rumored Antifa
    - Rumored religious group en route to kick the other groups out of the cemetery
    - On scene LE presence feels they have enough resources to deal with the present situation
- All reps polled and concurred with launching the strategic RDT

**Additional Facts:**

- FBI Dep Director is exploring providing arrest teams out tonight to take custody and interview arrested individuals.

**Actions Taken:**

- CBP received concurrence from the OPDEPs and were requested to launch their team. An ETA to Portland will be provided when known.

**Force Composition:**

- Presently in Portland

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- (b)(7)(E) FPS officers and agents
  - (b)(7)(E) USBP RDT members
  - (b)(7)(E) ICE RDT members
  - (b)(7)(E) USSS
  - (b)(7)(E) USMS SOG team (# of mbrs unk)
  - FBI (# of mbrs unk)
- Reinforcements being brought to the city for tonight
    - (b)(7)(E) mbr USBP Strategic RDT from El Paso
      - CBP is looking to see if they can increase the team size beyond the (b)(7)(E) members who were on standby
      - CBP will be driving from Blaine, WA to Portland a resupply of less-than-lethal munitions (ETA about (b)(7)(E) hour drive)
    - USMS moving an extra SOG team from St. Louis to Portland (team size unk)
    - FBI is marshalling additional FBI arrest teams to take custody of detained individuals and conduct interviews (# of additional mbrs unk)

**Conclusion:** CBP requested to provide an ETA when we have a good launch window and estimated time to Portland. CBP and FPS requested to coordinate locally to connect the arriving forces with the forces already in the city.

**TIMELINE (PDT):**

0100

- All agents and officers are secure for the night.

0005

- FPS is going to depart soon. All BPAs and OFO SRT are going to move back to their home bases for the night.

1300

- Emergency Operations Center is operational.
  - Teams will go on duty at 1500 hrs.

1500

- Teams deploying to designated locations.
- Estimated arrival time at the (b)(7)(E) International Airport

1602

- All personnel are posted at their respective locations.
  - Currently no activity.
- Communications
  - (b)(7)(E)
- Nakamura U.S. Federal Courthouse
  - 1010 5th Avenue, Seattle, WA 98104

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- 47°36'27.468            122° 19' 57.936
- (b)(7)(E) U.S.B.P. Agents assigned to this location.
- Henry Jackson Federal Building
  - 915 2nd Ave., Seattle, WA 98104
  - 47° 36' 18.468            122° 20' 4.848
  - (b)(7)(E) U.S.B.P. Agent
  - FPS Command Staff
- U.S. District Courthouse
  - 700 Stewart St., Seattle, WA 98101
  - 47° 36' 53.856            122° 20' 11.363
  - (b)(7)(E) CBPO Officers
  - (b)(7)(E) ICE ERO SRT Agents

1752

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1900

- Fuel / load time in (b)(7)(E) estimated arrival time in Portland

1902

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

1930

- ETA at Portland International Airport - Fixed Base Operator (FBO)
  - (b)(7)(E) hour flight time

Additional Information regarding the SOG Deployment to Portland:

- AMO granted the waiver to transport additional Less Lethal Supplies for USMS and FPS team members; (b)(7)(E)
- Total of (b)(7)(E) SOG personnel will be going to El Paso. No further reserve SOG units available;
- Contingency plan was to send the (b)(7)(E) SOG agents in Seattle to Portland to assist;
  - FPS did not recommend moving that team and is satisfied with the (b)(7)(E) SOG from ELP.
- Stand-by team is wheels up in (b)(7)(E) on (b)(7)(E) AMO (b)(7)(E) aircraft

2007

- (b)(7)(E) SOG personnel (b)(7)(E) landed via AMO (b)(7)(E)

2013

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- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

2114

- Henry Jackson Federal Building
  - No activity
- Nakamura U.S. Federal Courthouse
  - No activity
- U.S. District Courthouse
  - No activity

National Mall/NCR Photos as of 1620 EDT

14th Street and Pennsylvania Ave. N.W.

14th Street and Pennsylvania Ave. N.W.

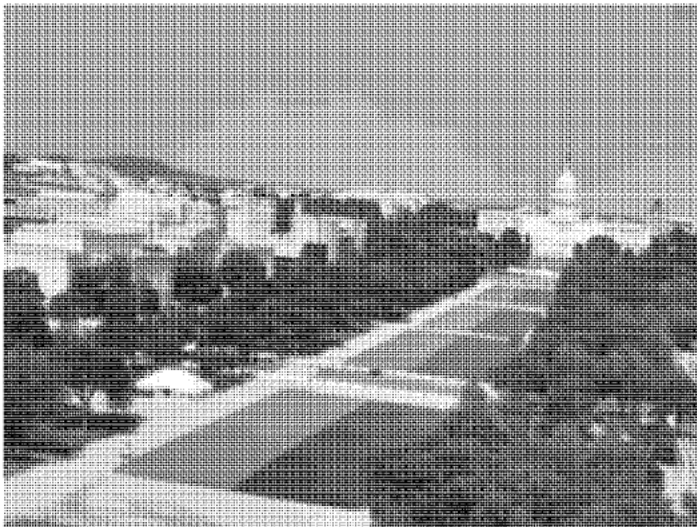


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- Washington D.C. FPS has concluded their holiday weekend efforts in D.C. and do not have any further requirements for CBP. All the OFO SRT officers are within commuting distance to the NCR and can be brought back if needed but it is unlikely at this point. A total of [redacted] were removed from national alert status totals.
- CBP team demobilized at the conclusion of their shift on July 5th and returned to their assigned Sector / Field Office.

**TIMELINE OF EVENTS:**

**CBP Portland Team Sit Rep 7/3/20: USBP agents deployed to assist FPS**

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## U.S. Customs and Border Protection 4<sup>th</sup> of July Weekend 2020, Law Enforcement Support

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- Approximately 100 protesters gathered outside of the Hatfield Courthouse, located at 1000 SW 3rd Ave, Portland, OR 97204. At approximately 1230 hours Pacific Daylight Time (PDT), the protesters breached the front door of the courthouse. The protesters then proceeded to assault Federal Protective Service (FPS) Officers and U.S. Marshals with rocks and bottles. Portland FPS requested support from the forward deployed USBP SOG team in order to assist in the protection of federal property and provide additional safety and security to the FPS Officers and U.S. Marshals under siege by the protesters.
- **TIMELINE (PDT):**
- 07/03/2020; 0130 SOG team arrived at the courthouse
- 07/03/2020; 0151 SOG team preparing to assist FPS, U.S. Marshals and the Portland Police Department in the active riot while attempting to disperse the protesters from the federal property.
- 07/03/2020; 0253 SOG team holding inside the courthouse. Contractors are in-route to repair the breached door. Once the contractors arrive, the SOG team and partners (approximately 30 Officers and Agents) will push outside to create a perimeter in order to facilitate the door repair.
- Crowd size is approximately 50 to 75 people. Protesters are sporadically throwing bottles and fireworks at the SOG team and partners. No “use of force” applied by SOG personnel at this time.
- 07/03/2020; 0400 Contractors arrived on-scene and the SOG team and partners pushed out a perimeter. Protesters dispersed without incident. The breached front door of the courthouse is currently under repair.
- 07/03/2020; 0435 Courthouse door has been secured. No “use of force” was applied by SOG personnel and no injuries reported. SOG team has cleared the scene.

#### **CBP Portland Team Sit Rep 7/3/20 to 7/4/20:**

On July 3, 2020, all (b)(7)(E) SOG personnel reported to the (b)(7)(E) located at (b)(7)(E) (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/04/2020 at 0100 hours PDT: A group of approximately 30 protesters gathered at the courthouse, became violent and broke a courthouse window. No law enforcement action was taken.
- 07/04/2020 at 0349 hours PDT: The group of 30 protesters broke the two front doors of the courthouse and were attempting to enter the building. Due to the violent actions of the protesters and safety concerns, USBP SOG team deployed less lethal (b)(7)(E) and (b)(7)(E) munitions to regain control of the building and protect all law enforcement personnel.
- 07/04/2020 at 0419 hours PDT: The SOG team and other law enforcement partners have pushed the group of protesters away from the courthouse front doors, past the closed off street and off the federal park property.
- 07/04/2020 at 0427 hours PDT: The protesters returned and came back on to federal park property. Federal law enforcement personnel, to include USB SOG, were able to deter the protesters from advancing

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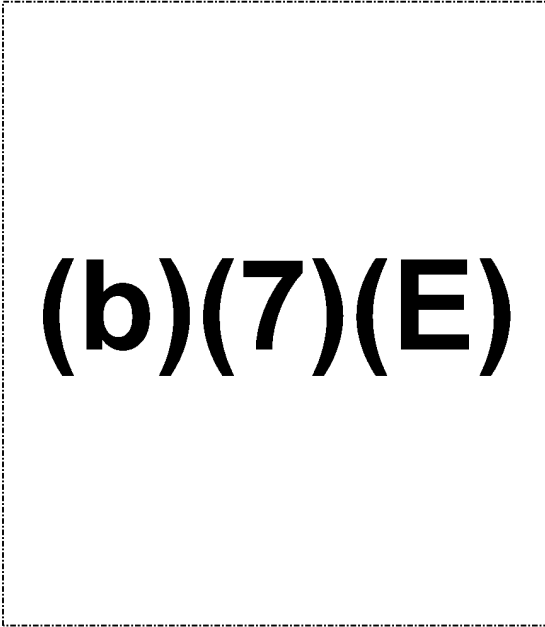
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further. Protesters are now off federal park property. The USBP SOG team and law enforcement partners have formed a line on the edge of the federal park property.

- 07/04/2020 at 0450 hours PDT: USBP SOG team and law enforcement partners have returned to the courthouse and are holding a line just outside of the front doors that were destroyed by violent protesters. Contractors are in-route to repair the doors. 40 plus protesters remain in the federal park area and appear to be calm at the moment. No injuries to the SOG team or any other law enforcement partners reported at this time.
- 07/04/2020 at 0525 PDT (0825 EDT): Contractors are on-scene and are repairing the broken doors. Law Enforcement personnel are continuing to remain in a protection posture
- 07/04/2020 at 0555 hours (0855 EDT): SOG personnel have moved inside the courthouse and the Portland Police Department has assumed outside security. There are only approximately 15 protesters remaining on-scene and appear to be passive at this time.

Photo of USBP SOG Units and United States Marshals 07/04/2020



**CBP Portland Team Sit Rep 7/4/20 to 7/5/20:**

Portland Team: 1400-0200 hours (PDT) shift

- 2007 hours PDT: [REDACTED] SOG personnel [REDACTED] landed via AMO [REDACTED]
- 1145 hours PDT: [REDACTED] SOG personnel have linked up with SOG Portland team [REDACTED] for transport to the ICE facility to begin mission preparations.
  - Teams will be assigned to mobile arrest teams for response to the Hatfield Courthouse
  - [REDACTED] total SOG personnel will provide support to FPS, USMS, and HSI SRT partners.

\*\*\*Spot Report\*\*\*\*

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- 2241 hours: SOG BORTAC arrested three subjects that were spray painting the courthouse CCTV cameras. The SOG team utilized a (b)(7)(E) and (b)(7)(E) during the arrest. The subjects were handed over to the U.S. Marshals.
- 2302 hours: Violent protesters are throwing rocks and shooting fireworks M60 mortars at the courthouse. Protesters broke the plate glass above the courthouse doors and are throwing paint and mace inside the courthouse. No injuries to law enforcement personnel reported.
- 07/04/2020 at 2319 hours (PST): SOG BORTAC dispersed the aggressive protesters away for the courthouse and off of the federal park property with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2336 hours (PST): Protesters returned to the federal park property and were once again dispersed by SOG BORTAC with (b)(7)(E) and (b)(7)(E) munitions.
- 07/04/2020 at 2357 hours (PST): Portland PD has assumed perimeter security of the federal courthouse property and is making arrests. SOG team leaders are conducting equipment checks and personnel welfare checks. No injuries to the SOG personnel at this time.
- 07/05/2020 at 0010 hours PDT (0310 EDT): Violent protesters are using frozen water bottles, paint, large rocks, bottle rockets/large fireworks, green laser pointers and M60 firework mortars to assault law enforcement personnel. SOG personnel have been struck by these items, but no significant injuries have been reported.
- 07/05/2020 at 0028 hours PDT (0328 EDT): SOG personnel have reassumed their defensive positions as Portland PD has vacated the area.
- 07/05/2020 at 0045 hours PDT (0345 EDT): Violent protesters continue to attack law enforcement and SOG team members had another exchange with the protesters as they attempted to get within close distance of the building and law enforcement personnel. SOG was forced to use (b)(7)(E) to disperse the crowd.
- 07/05/2020 at 0145 hours PDT (0445 EDT): Protesters tossed a large explosive device into the courthouse foyer where the SOG team was staged. SOG BORTAC exited the courthouse and dispersed the protesters off of the federal park property using (b)(7)(E) and (b)(7)(E) munitions. The protesters continued to actively assault SOG personnel with bottle rockets and mortar style fireworks as they retreated off of the federal property.
- 07/05/2020 at 0235 hours PDT (0535 EDT): SOG BORTAC arrested two subjects. One subject was deploying harmful DPSS lasers directly into the face of SOG BORTAC Operators. The other subject assaulted SOG operators with a shield as they arrested the subject with the laser. Both are currently in custody of the FPS.
- 07/05/2020 at 0415 PDT (0715 EDT): FPS Officers made several announcements directing the protesters to vacate the federal property directly in front of the courthouse doors or they would be arrested for trespassing. FPS personnel then directed USBP SOG personnel to arrest any subject that was refusing the lawful order to leave the federal property. As SOG personnel came out of the courthouse to make arrests, an individual shined a harmful DPSS laser directly into the faces of SOG personnel. SOG BORTAC was able to take the subject into custody and arrested him for assault. A subsequent search of the subject revealed a pipe bomb, a fused explosive device, a machete and a buck knife.

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- 07/05/2020 at 0545 (PST): Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

- Photo of suspected IED

**(b)(7)(E)**

- BLW Mobile Field Force (MFF), comprised of Border Patrol Search Trauma and Rescue (BORSTAR), Border Patrol Tactical (BORTAC), and Mobile Response Team (MRT) team members traveled to Seattle to provide support to FPS on July 2, 2020 and returned to BLW today, July 5, 2020.
- BLW provided SOG MFF agents deployed to Portland with less lethal munition resupplies sent via GOV on July 5, 2020. The (b)(7)(E) SOG agents remain counted towards national alert totals.

**CBP Portland Team Sit Rep 7/5/20 to 7/6/20: 2000-0600 hours PDT**

On July 5, 2020 at 2030 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed USBP SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/05/20 at 1000 hours PST: A support request for additional less lethal munitions was submitted to Blaine Sector for the CBP SOG team in Portland, OR
- 7/5/20 at 1118 hours PST: Bellingham Station agents departed with less lethal munitions in route to Portland, OR.
- 07/05/20 at 1700 hours PST: Munitions have arrived in Portland and delivered to SOG operators.
- 07/05/2020 at 2137 hours PST: Protesters are throwing fireworks and shooting M60 mortars at a dump truck that is loading wood in front of the courthouse. A construction crew is working in front of the courthouse completing the boarding of windows broken by last night's violent protests.
- 07/05/2020 at 2145 hours: SOG BORTAC dispersed the protesters away from the courthouse and into the federal park property with officer presence holding a line in the front of the park.
- 07/05/2020 at 2210 hours: SOG BORTAC observation posts have visual of a male subject with a harmful green laser in hand. Subject did not use the laser on any personnel.
- 07/05/2020 at 2244 hours: Construction crews have completed work and vans are being escorted out of the area by HSI SRT. Teams have moved back into the courthouse with no further incident.
- 07/05/2020 at 2340 hours: One subject was deploying a harmful purple laser directly at the eyes and face of SOG BORTAC and FPS personnel that are in an observation post. Protester has been identified as a female subject wearing a black top and white helmet with reddish hair.
- 07/06/2020 at 2410 hours PST: SOG BORTAC arrested two subjects that were deploying harmful lasers directly into the eyes and faces of the SOG BORTAC agents that were in an observation point. The first subject is a male and was encountered on the steps of the courthouse. He was arrested by SOG BORTAC and is currently in FPS custody. The second subject was a female that had previously been identified as pointing a dangerous laser at agents. During the apprehension of the female, she requested to speak with a medic. SOG BORSTAR and BORTAC agents engaged in a conversation with the subject, while a US Marshall provided cover. While ascertaining the subject's health, she reached for a knife and placed it to her throat. The US Marshall deployed his Taser to prevent her from injuring herself. The SOG BORSTAR Agent jumped on the subject and physically removed the knife from her throat. Due to the heroic and quick reactions of the US Marshall and SOG BORSTAR agent, the subject did not harm herself. Portland EMS arrived and the subject has been transported to the hospital.
- While walking back to the courthouse SOG BORTAC Agents were assaulted by criminal protesters throwing bottles and fireworks. Another protester pointed a harmful laser at SOG personnel's eyes and faces. The subject was apprehended shortly after by SOG BORTAC.

07/06/2020 at 0215 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. Information from social media confirms that protesters will not return tonight. Intel received indicates that protesters will be possibly moving to other targets rather than the Federal Courthouse due to heavy federal enforcement actions. No injuries sustained by SOG personnel.

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**CBP Portland Team Sit Rep 7/6/20 to 7/7/20: 2000-0600 hours PST**

On July 6, 2020 at 2130 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/06/20 at 0800 hours PST: (b)(7)(E) AMO (b)(7)(E) departed (b)(7)(E) in-route to (b)(7)(E) WV to pick up less lethal munitions resupply.
- 07/06/20 at 1030 hours PST: AMO (b)(7)(E) arrived at (b)(7)(E) WV airfield
- 07/06/20 at 1230 hours PST: AMO (b)(7)(E) departed (b)(7)(E) WV in-route to Portland, OR
- 07/06/20 at 1830 hours PST: AMO (b)(7)(E) arrived in Portland, OR
- 07/06/20 at 2130 hours PST: All USBP SOG personnel are staged at the (b)(7)(E) with FPS, USMS, and HSI SRT law enforcement personnel.
- 07/06/20 at 2237 hours PST: Three separate groups of protesters are gathering in front of the Hayfield Courthouse on 3<sup>rd</sup> Street. The first group of protesters is approximately 100-150 protesters in size standing on 3<sup>rd</sup> and Main St. The second group of protesters is approximately 50 people. They are wearing protective gear to include gas masks and have been seen with leaf blowers. The third group of protesters are staged near the Elk Monument and have been assaulting USBP SOG personnel that are in an observation position with harmful lasers pointing them directly at the eyes and faces. Law enforcement personnel are currently holding a position in the foyer of the courthouse and planning is ongoing for an attempt to arrest assaultive subjects.
- 07/06/2020 at 2355 hours PST: Protesters have moved east away from the courthouse. Protesters appear to be staging in front of the Justice Center building next to the courthouse. Information gathered from social media indicates that the protesters are being told not to incite Federal Agencies within the Federal Courthouse. USBP SOG team is prepared to respond to other locations if requested.
- 07/07/2020 at 0045 hours PST: USBP SOG arrested three subjects that were pointing harmful green lasers directly into the eyes and faces of USBP SOG and FPS personnel in observation positions. All three subjects are currently in custody of the FPS.
- 07/07/2020 at 0147 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last two nights. No injuries sustained by SOG personnel.

**PATH FORWARD: July 6th**

- Portland Team: Monday July 6<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

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- Portland Team: Monday July 7<sup>th</sup> from 2000-0600 (PDT), USBP SOG team will report to the (b)(7)(E) (b)(7)(E) for assignments with FPS

**CBP Portland Team Sit Rep 7/7/20 to 7/8/20: 2000-0600 hours PST**

On July 7, 2020 at 2100 hours Pacific Daylight Time (PDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

- 07/08/2020 at 2400 hours PST: USBP SOG Operators were conducting observation on suspicious subjects near the Edith Green Federal Building. During this time, USBP SOG personnel were targeted with harmful green lasers. As a result of the laser deployment, USBP SOG personnel attempted to perform an arrest. A foot pursuit ensued from the federal building into the Chapman Park area where several other protesters were congregated.

A group of over 200 protesters saw our personnel chasing the subject. The protesters began assaulting agents with rocks and bottles as they ran towards the USBP SOG team. USBP SOG immediately discontinued the foot pursuit and began to return to the Edith Green Federal Building as they were being pursued by a mob of 100 protesters assaulting them with rocks and bottles. In order to move protesters away from the entrance of the Federal Building, USBP SOG deployed

(b)(7)(E)

No SOG personnel were injured, one FPS Officer rolled his ankle.

- 07/08/2020 at 0240 hours PST: Protesters have dispersed and all SOG personnel have cleared the scene. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/8/20 to 7/9/20: 1700-0300 hours PST**

On July 8, 2020 at 1700 hours PDT (2000 EDT), all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the (b)(7)(E) along with (b)(7)(E) Federal Protective Service (FPS) Officers, (b)(7)(E) U.S. Marshal Special Operations Group (MSOG) personnel and (b)(7)(E) Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

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- 07/08/2020 at 2110 hours PDT (0010 EDT): An individual that has been observed assaulting law enforcement personnel with a laser and destroying federal property (a video surveillance camera) over the last couple of days was seen by the USBP SOG observation team in Lownsdale Square Park. The subject is also responsible for the injuries to HSI Special Agent (b)(6), (b)(7)(C) whom is currently unable to work due to the injury. SOG recon teams were sent to canvas the federal park area in an attempt to confirm the identity the subject. During this sweep, the recon team positively identified the individual and reported his location back to the command center. The recon team sent a picture of the individual for confirmation and positive ID was established. USBP SOG command formulated a plan to deploy mobile teams comprised of SOG BORTAC, SOG US Marshals and HSI SRT with FPS support and SOG BORTAC over watch to apprehend the individual. The teams converged on the individual in the northeast corner of Lownsdale Square Park near the corner of 3<sup>rd</sup> avenue and SW Salmon Street. The subject attempted to flee the area, but was apprehended by the combined units. The subject was escorted back to the Hatfield Courthouse without incident. No less lethal was deployed. Two law enforcement personnel sustained minor injuries during the apprehension, one SOG BORTAC agent and one US Marshal. The subject was asked and stated that he had not sustained any injuries and declined any medical attention.
- Subject's name is (b)(6), (b)(7)(C)  
DOB (b)(6), (b)(7)(C)  
Subject is currently in the custody of the U.S. Marshals Service.  
FPS will be filing an affidavit in support of criminal complaints.
- 07/09/2020 at 0055 PDT (0355 EDT): Update on the subject arrested earlier in the evening  
Subject is a reported missing person, Subject is now in the custody of the Multnomah County Sheriff's Office
- 07/09/2020 at 0130 PDT (0430 EDT): A white SUV crossover that according to social media posts is a 2018 Kia Sportage with Oregon license plate (b)(6), (b)(7)(C) was driving recklessly through the protesters and throwing out fireworks. The vehicle appeared to crash into the foundation of the Elk statue in Chapman Park. A crowd of protesters converged on the vehicle to confront the occupants. After some arguing, the protesters allowed the vehicle to leave the scene. As the vehicle was leaving, an individual in the vehicle was reported to have fired 5 or 6 shots into the air above the heads of the protesters. No protesters were reported to have been injured. Soon afterwards, social media posts and live streams claimed that the vehicle was still in the general location. SOG BORTAC and FPS deployed mobile teams to canvass the area in a search for the vehicle.
- 07/09/2020; 0230 PDT (0530 EDT): Situation Update: The mobile teams consisting of SOG BORTAC, SOG US Marshals, and FPS personnel searched the area with negative results on

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locating the suspects' vehicle. All law enforcement personnel have returned to the Hatfield Courthouse without injury. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by USBP SOG personnel. The Federal Courthouse was not targeted by protesters this evening due to heavy federal enforcement actions over the last three nights.

**CBP Portland Team Sit Rep 7/10/20 to 7/11/20: 1700-0300 hours PDT**

07/11/2020 at 0400 hours PDT (0700 EDT): Nothing additional to report. Protesters have dispersed and all SOG personnel have cleared the scene. No munitions were required to be used by SOG personnel. No injuries sustained by SOG personnel.

**PATH FORWARD: July 11-12**

- San Diego Sector SOD will provide [redacted] agents if necessary for a rotation with SOG personnel in Portland. Final decision pending from FPS.

AMO has been placed on standby for a return flight on either Tuesday (14<sup>th</sup>) or Wednesday (15<sup>th</sup>)

**CBP Portland Team Sit Rep 7/11/20 to 7/12/20: 1700-0300 hours PST**

On July 10, 2020 at 1700 hours Pacific Daylight Time (PDT), all [redacted] forward deployed SOG personnel reported to the [redacted] (b)(7)(E) located at [redacted] (b)(7)(E). The SOG team conducted an operations brief and are pre-staged at the [redacted] (b)(7)(E) along with [redacted] Federal Protective Service (FPS) Officers, [redacted] U.S. Marshal Special Operations Group (MSOG) personnel and [redacted] Homeland Security Investigations (HSI) Special Response Team (SRT) personnel. SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to federal property and personnel.

The teams were divided between three locations;

[redacted] (b)(7)(E)

07/11/2020 at 2110 hours PDT (0010 EDT): A subject was told to leave the federal property at the Hatfield Federal Courthouse. When he refused, USBP SOG, SOG US Marshals and FPS deployed to arrest the subject. The subject ran through the park to evade arrest. When law enforcement pursued, they began to be assaulted by the crowd. The primary subject was arrested and well as another subject that assaulted a US Marshal. [redacted] (b)(7)(E) and [redacted] (b)(7)(E) was deployed by USBP SOG, SOG US Marshals and FPS to push the crowd away from the law enforcement personnel who were being assaulted. The situation is very fluid and updates will follow as details are received.

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07/11/2020 at 2330 hours PDT (0230 EDT): All law enforcement personnel are back in their respective buildings. There was an additional arrest of a subject for failure to leave the federal property. The protesters are using shields, umbrellas, gas masks and goggles. They continue to engage law enforcement personnel and then retreat into the crowd. This crowd of protesters are much different from the previous night of protesters. They are better organized and more violent. They are much more willing to engage with law enforcement. Protesters were walking a young child between the crowd and the law enforcement personnel. A warning was given to them to depart from federal property and they eventually complied with the request.

07/11/2020 at 2345 hours PDT (0245 EDT): Protesters are crowding the property line for the Hatfield Federal Courthouse and are ignoring multiple warnings. Protester radio traffic stated that they were moving shields and umbrellas forward to ward off CS gas canisters. FPS used a loud speaker to move the crowd back. A USBP SOG recon team reported a sUAS launching location in the park and provided the coordinates to the (b)(7)(E). Social media is showing video of an individual whom they claim was injured from less lethal munitions. EMS responded and the subject was taken to the hospital. No further information available at this time.

07/12/2020 at 0025 hours PDT (0325 EDT): The crowd of protesters had been repeatedly crossing the property line at the Hatfield Federal Courthouse. They were ignoring warnings over the loud speaker to move back from the building. The protesters then began throwing hard objects and shooting fireworks at law enforcement personnel. USBP SOG, SOG US Marshals and FPS personnel deployed less lethal munitions to include (b)(7)(E) and (b)(7)(E) against the crowd of protesters pushing them back into the park across the street from the courthouse. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0110 hours PDT (0410 EDT): The law enforcement personnel at the Hatfield Federal Courthouse attempted to move back inside after giving the protesters warnings not to follow them onto the sidewalk surrounding the building. As law enforcement personnel moved into the building, the protesters followed them and began throwing objects at them. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Law enforcement personnel moved back into the building and continued to issue warnings to stay off federal property. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

07/12/2020 at 0155 hours PDT (0455 EDT): A protester was observed defacing the Hatfield Federal Courthouse and another was refusing to leave the federal property. USBP SOG, SOG US Marshals and FPS deployed and arrested both individuals. Less lethal munitions were deployed to include (b)(7)(E) and (b)(7)(E). Portland Police Bureau declared the area surrounding the federal buildings downtown closed to the public. In conjunction with Portland Police Bureau, USBP SOG, SOG US Marshals and FPS pushed protesters out of the area. Federal law enforcement personnel moved back into the building. Portland Police Bureau remained at the edge of the perimeter keeping the protesters out the downtown area. No law enforcement personnel were injured and no protesters appear to have been injured at this time.

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07/12/2020 at 0330 hours PDT (0630 EDT): Prior to the USBP SOG, SOG US Marshal and FPS deployment, rioters were issued warnings via a loud speaker to remain off of federal property and to not assault law enforcement personnel. In defiance of the warning, rioters were observed assaulting law enforcement personnel with lasers and by throwing hard objects to include glass bottles. Observation post teams were able to positively identify one of the subjects deploying the lasers. (b)(7)(E) teams were deployed from the side of the courthouse resulting in an additional two arrests for assault with lasers. The subject that was tagging the building later assaulted law enforcement officers when he threw a beer bottle at them. USBP SOG agents observed the assault and made the arrest. No law enforcement personnel were injured. Two of the three subjects were transported to medical facilities for treatment. No further details on their condition are currently available. Protesters have dispersed and all SOG personnel have cleared the scene.

**PATH FORWARD: July 12-13**

- Portland Team: USBP SOG team will report to the (b)(7)(E) for assignments with FPS
- Discussions and planning are underway to identify a relief team in Portland. San Diego Sector SOD has been put on standby to support if requested by FPS.
- San Diego Sector SOD will provide (b)(7)(E) agents that will arrive on Sunday (12<sup>th</sup>) in the afternoon. SDC/SOD will conduct a relief in place over the next two day to relieve SOG.
- AMO has been requested for transport support of (b)(7)(E) SOG personnel on Wednesday (15<sup>th</sup>).

**CBP Portland Team Sit Rep 7/12/20 to 7/13/20: 1700-0300 hours PST**

On July 12, 2020 at 1700 hours PDT (2000 EDT), USBP SOG, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the decision had been made, collectively, by the United States Marshal for the District of Oregon, (b)(6), (b)(7)(C) and the FPS Regional Director to reduce the proactive posture by teams at the Hatfield Federal Courthouse. The Director briefed that the operational posture to be taken would be to seal the courthouse and hold a non-reactive posture to all minor violations without a Law Enforcement response or resolution. The Director advised that Federal enforcement action from the Federal Courthouse would only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, all (b)(7)(E) forward deployed SOG personnel reported to the (b)(7)(E) located at (b)(7)(E). The USBP SOG team conducted an operations brief and were deployed in mobile units, to the (b)(7)(E) and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings, (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are pre-staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are pre-staged at the (b)(7)(E). SOG will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/13/2020 at 0015 PDT (0315 EDT): Protesters attempted to barricade the front doors of the Hatfield Federal Courthouse with sheets of plywood. They also set-up plywood barriers at the edge of the sidewalk and tied fishing line across the steps of the front of the courthouse. From live stream video,

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mallets, wrist rockets and tasers have been observed in the crowd. One individual was observed shooting the courthouse and the Justice Center with the wrist rocket. Law Enforcement witnessed over 20 individual instances of vandalism to the courthouse throughout the night.

07/13/2020 at 0125 hours PDT (0425 EDT): Violent protesters attempted arson of the courthouse by building a fire with wood from a bonfire they had built in the middle of the street. The protesters were unable to get the plywood protecting the building to light.

07/13/2020 at 0300 PDT (0600 EDT): USBP SOG agents arrested a subject that was identified as having assaulted law enforcement personnel with a laser on a previous evening.

07/13/2020 at 0400 PDT (0700 EDT): USBP SOG mobile units arrested the subject that attempted arson of the Hatfield Federal Courthouse after most of the protesters had left the area.

07/13/2020 at 0430 PDT (0730 EDT): Protesters have dispersed and all USBP SOG personnel have cleared the scene. No less lethal munitions were required to be used by USBP SOG personnel. No injuries sustained by SOG personnel.

**CBP Portland Team Sit Rep 7/13/20 to 7/14/20: 1700-0300 hours PST**

On July 13, 2020 San Diego Sector Special Operations Detachment (SDC/SOD) personnel reported to the (b)(7)(E) along with key leaders from the USBP SOG element in order take over the mission and provide seamless support to FPS.

At 1700 hours Pacific Daylight Time (PDT), USBP SDC/SOD, SOG BORTAC key leaders, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous night, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will not be reacted to by law enforcement. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

After the brief, (b)(7)(E) forward deployed SDC/SOD personnel reported to the (b)(7)(E) located at (b)(7)(E). The SDC/SOD team conducted an operations brief and were deployed at the (b)(7)(E) and the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) Building. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

A large crowd, approximately 400-500 protestors, gathered and focused attention at the Portland Police Association (PPA) Building (Non-Federal), located at 1868 N Lombard St, Portland, OR 97209

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(Approximately 4 miles away from the Hatfield Courthouse). (b)(7)(E) Portland Police Bureau (PPB) Officers were on location and protecting the facility while city workers were boarding up the glass. Situational reporting indicates that the protest is against Police Unions, believed to be protecting Police Officers, and to further the movement to defund police.

7/13/20 at 2345 hours PDT (0245 EDT): Rioters began to assault Portland Police Officers at the Police Association Building with harmful laser pointers and set mattresses on fire to block routes of ingress/egress.

7/14/20 at 0008 hours PDT (0308 EDT): Rioters began assaulting Portland Police Officers and City Workers with rocks and bricks, one of the Officers was struck in the helmet with a large rock. Portland Police maneuvered crowd control elements to disperse the crowd.

7/14/20 at 0011 hours PDT (0311 EDT): PPB declared the demonstration a riot and have begun moving the crowd away from the PPA Building.

7/14/20 at 0025 hours PDT (0325 EDT): PPB continues to be assaulted with hard objects and encounter resistance from the large group of rioters.

7/14/20 at 0100 hours PDT (0400 EDT): PPB continues to push the rioters away from the PPA building. They continue to be assaulted intermittently with objects.

7/14/20 at 0200 hours PDT (0500 EDT): PPB pushed the crowd approximately two blocks away from the PPA and are holding ground.

7/14/20 at 0200 hours PDT (0500 EDT): The crowd in front of the Hatfield Courthouse remained small and peaceful.

7/14/20 at 0215 hours PDT (0515 EDT): Nothing significant to report at the Federal Facilities. All USBP personnel have been released. No arrests were made. No vandalism reported. No Use of Force incidents.

**PATH FORWARD: July 14-15**

- Portland Team: USBP SOG team will demobilize and return to El Paso, Texas via ground and AMO air.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20:**

At 1700 hours Pacific Daylight Time (PDT), July 14, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action.

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Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

7/14/20 at 2030 hours PDT (2330 EDT): Open source reporting indicated that protestors are organizing to arrive in front of the Pioneer Courthouse / Federal U.S. Court of Appeal for the 9th circuit. Field reports indicated that there are currently 15-30 protestors at the Pioneer Courthouse.

7/14/20 at 2045 hours PDT (2345 EDT): Open source reporting indicated a group of 300-400 protestors gathered at the Portland City Hall would be relocating to the Pioneer Courthouse. The protestors are moving from the City Hall building and arriving in Pioneer Square located directly in front of the Pioneer Courthouse. Protestors are currently peaceful.

7/14/20 at 2045 hours PDT (2345 EDT): FPS deployed (b)(7)(E) Officers and SDC/SOD deployed (b)(7)(E) mobile units (agents) to the Pioneer Courthouse for situational awareness. (b)(7)(E) law enforcement are deployed into the crowd at Lownsdale Park in front of the Hatfield Courthouse to observe and gain situational awareness.

07/14/20 at 2100 hours PDT (0000 EDT): Protestors departed from Pioneer Square and relocated to the Justice Center, just north of the Hatfield Courthouse. Protester numbers are 300-400. Protestors remain peaceful.

07/14/20 at 2318 hours PDT (0018 EDT): A subject placed a plywood board with nails pointing up in front of the Hatfield Courthouse Front door in an attempt to prevent law enforcement from exiting the building.\*\*No Law enforcement response was initiated.

07/14/20 at 2320 hours PDT (0220 EDT): Protestors have barricaded several streets, setting up signs to indicate the area is the "Chinook Land Autonomous Territory" "CLOT". Open source reporting indicates the PNW Youth Liberation Front is organizing the occupation.

- Portland Police Bureau (PPB) has indicated that they will not allow the protestors to occupy the parks.
- PPB advised they intend to clear the park and all barricades before 7:00AM (PST)

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07/14/20 at 2330 hours PDT (0230 EDT): A fire was reported in Terry Schruck Plaza (Federal Property) to the east of the Edith Green Federal Building. FPS Officers investigated and determined it to be a bottle full of flammable liquid. FPS extinguished the fire and returned to the Edith Green Building. No arrests or subjects were identified associated to the fire.

07/15/20 at 0020 hours PDT (0320 EDT): Agents at the Edith Green Federal building report that unknown persons are attempting to assault agents and officers within the building with lasers. SDC/SOD is deploying mobile units and (b)(7)(E) agents to attempt to identify the persons committing assaults with lasers. Negative contact was made.

07/15/20 at 0110 hours PDT (0410 EDT): Protestors relocated to block streets around the Justice Center in an attempt to interrupt the shift change of the Portland Police Bureau (PPB).

07/15/20 at 0124 hours PDT (0424 EDT): PPB deployed their crowd control units to push the crowd away from the Justice Center. PPB Officers are being actively assaulted with lasers, hard objects and glass bottles. PPB crowd control units were able to draw the crowd away from the Justice Center. Shift change occurred without further incident.

07/15/20 at 0125 hours PDT (0425 EDT): Two ICE ERO SRT agents were assaulted with a green laser to the eyes at the Edith Green Federal Building. Officers were able to get a description of the subject, the Private Security Officer recorded the assaulter on CCV camera. (b)(7)(E) agents in the area are attempting to locate the subject.

- 0224 hours PST: (b)(7)(E) agents made Positive Identification of the assaulter. Subject was located walking south on 3<sup>rd</sup>, toward Madison in a small group. Agents will continue to maintain visual until the subject enters an area away from the protestors. SDC/SOD mobile units will attempt to make the arrest once clear.
- SDC/SOD observation team has also gained visual of the subject walking in a group.
- 0236 hours PDT (0536 EDT): SDC/SOD Mobile Units approached the location of the subject and encountered a group of individuals that fled on foot. Two individuals, both matching the description of the assaulter, were detained and transported to the Hatfield Courthouse for positive identification.
  - Neither subject was positively identified as the assaulter, neither had possession of a laser.
  - Both subject were identified and released.

07/15/20 at 0130 hours PDT (0330 EDT): Rioters were observed breaking in to a double door underground access point near 3<sup>rd</sup> and Salmon. Rioters removed unidentified metal material from the access point and are using it to barricade streets. Break in was not on Federal Property. PPB did not respond.

07/15/2020 at 0300 hours PDT (0600 EDT): The crowds were remaining peaceful and all personnel were ordered released by FPS. As FPS and ERO SRT were exiting the Edith Green Federal Building, their

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vehicles were assaulted with lasers and hard objects. SDC/SOD BORTAC has vehicles remaining at the Edith Green Building and were attempting to re-enter the building. Protestors blocked the ingress route to the parking structure.

- 0315 hours PDT (0615 EDT): FPS contacted PPB to provide assistance. PPB advised that they would not be responding.
- 0325 hours PDT (0625 EDT): ERO SRT returned to assist SDC/SOD re-enter the building to recover their vehicles.
- 0340 hours PDT (0640 EDT): ERO SRT blocked the street to allow SDC/SOD to re-enter the Edith Green Building, but were unable to hold the street as they were being assaulted with hard objects. Exit was blocked by rioters and law enforcement personnel were not able to depart the area.
- 0345 hours PDT (0645 EDT): SDC/SOD exited the Edith Green Building on foot and ordered the crowd (approx. 50-75 subjects) to back away from Federal property to allow the vehicles to exit. The crowd refused several orders to depart Federal property. SDC/SOD was assaulted with hard objects. SDC/SOD deployed less lethal and (b)(7)(E) munitions in order to disperse the hostile rioters. SDC/SOD pushed the rioters away from the Edith Green Federal Building but the crowd refused to stay away. SDC/SOD pushed the crowd from the Edith Green Building to the Hatfield Federal Courthouse. SDC/SOD was met at the Hatfield Federal Courthouse by FPS and entered the building.
- 0400 hours PDT (0700 EDT): SDC/SOD was escorted by FPS and additional agents back to the Edith Green Building to recover their vehicles.

07/15/2020 at 0415 hours PDT (0715 EDT): No other significant incidents to report at the Federal Facilities. No arrests were made and no injuries to law enforcement reported. All USBP personnel have been released.

FPS reports that on four occasions tonight, individuals were witnessed by security camera defacing/vandalizing the Hatfield Courthouse. \*\*No Law Enforcement response.

**PATH FORWARD: July 15-16**

- All USBP SOG personnel will depart Portland, OR on July 15, 2020. (b)(7)(E) will begin travel by GOV. (b)(7)(E) will be transported by AMO via a (b)(7)(E) flight.
- SDC/SOD will assume mission lead for USBP beginning July 15, 2020.
- SOG BORTAC Deputy Commander will arrive in Portland on 7/15 to assist in C2
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Contract was approved on and install is approx. 5-7 days.

AS1 will conduct a site visit on Thursday 7/16/20 at the Hatfield Courthouse.

**CBP Portland Team Sit Rep 7/14/20 to 7/15/20: 1700-0300 hours PST**

July 15, 2020, at 1700 hours Pacific Daylight Time (PST), USBP SDC/SOD, SOG US Marshalls, ERO SRT, and FPS Team leaders were briefed by FPS Command that the Law Enforcement reactive posture

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from the previous nights at the Hatfield Federal Courthouse would remain the same. The courthouse will be sealed and all minor violations against the Federal property will not result in law enforcement action. Federal response from the Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points.

(b)(7)(E) SDC/SOD personnel conducted an operations brief and were deployed as mobile units and to the (b)(7)(E) (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/15/20 at 2100 hours PST: Open source reporting captured a Twitter Feed that sent out a roster of USBP BORTAC agents names. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/16/20 at 0200 hours PST: Crowds in front of the Hatfield Courthouse are remaining peaceful. The number of protestors is reported to be less than 100.

#### **PATH FORWARD: July 15-16**

- Portland Police Bureau advised that they plan to have workers install a fence around Chapman Square and Lownsdale Park at 05:00 AM on July 16, 2020. PPB plans to empty the park and maintain a security presence until the fence is complete.
- Teams will arrive back at the Hatfield Courthouse at approximately 1300 hours (PST) to prepare for the arrival and visit of AS1.

#### **CBP Portland Team Sit Rep 7/16/20 to 7/17/20:**

Portland Police Bureau (PPB) and the City of Portland cleared Lownsdale Square and Chapman Square of all tents and temporary structures that had been occupying the space during the morning of July 16, 2020. Temporary fencing was installed around both squares, both are city property. General Services Administration installed temporary fencing around Terry Schunk Plaza (TSP), which is Federal property. PPB advised they intend to have officers present in both squares in order to prevent any destruction or unauthorized removal of the fencing. FPS will also have officers present in TSP to prevent the destruction of or removal of fencing and to prevent trespassing onto Federal property.

DHS Acting Secretary Wolf (AS1) visited the Hatfield Courthouse and met with leadership from FPS, US Marshals Office, FBI, HSI, CBP, and ICE. AS1 met with Federal personnel that have been conducting

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operations in Portland in order to protect Federal facilities and property. AS1 held a press conference with select media. AS1 departed the Hatfield Courthouse at approximately 1800 hours (PDT)

At 1700 PDT, July 16, 2020, USBP SDC SOD, SOG US Marshals, ERO SRT, and FPS Team leaders were briefed by FPS Region 10 Director that the Law Enforcement Posture from the previous nights, at the Hatfield Courthouse, would remain the same. The posture will be reactive only by teams at the Hatfield Federal Courthouse. The courthouse will be sealed and all minor violations against the Federal property will be allowed. Federal enforcement action from the Federal Courthouse will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. The posture will be more proactive in TSP in order to prevent destruction or removal of fencing.

Agitators are continuing to attempt to initiate hostile actions from the protestors through social media. Certain actors are targeting Federal agents and officers and are attempting to initiate hostile actions against Federal agents.

(b)(7)(E) SDC/SOD and Intel personnel conducted an operations brief and were deployed as mobile units at the (b)(7)(E) and to the (b)(7)(E) Federal Protective Service (FPS) Officers are deployed between the three Federal buildings. (b)(7)(E) U.S. Marshal's Special Operations Group (MSOG) personnel are staged at the (b)(7)(E) and (b)(7)(E) Enforcement and Removal (ERO) Special Response Team (SRT) personnel are staged at the (b)(7)(E) SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/16/2020 at 2100 hours PDT: Several hundred protesters are gathered at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct, located at 4735 E. Burnside Street, Portland, OR. (Approximately 4 miles east from the Hatfield Courthouse). Approximately 50 protesters are gathered in front of the Hatfield Courthouse at the intersection of 3rd Avenue and Main Street.

07/16/2020 at 2245 hours PST: Open source reporting indicates that protesters have taken the fence from the area of Lownsdale park, near the intersection of 4th Avenue and Salmon Street and used it as a barricade to block the street. PPB responded with a rapid response/crowd control unit and has repaired/secured the fence. PPB issued a warning to protesters that if they attempt to relocate or damage the fence, they will be subject to arrest. PPB has returned to their previous positions.

07/16/2020 at 2302 hours PST: Portland Police reported being struck with hard objects and glass bottles near the intersection of 4th Avenue and Madison Street. FPS Officers, located in TPS, identified one of the assaulting subjects and deployed less lethal munitions against the assaulters to protect PPB.

07/16/2020 at 2325 hours PST: BORTAC supported FPS Officers to removed protesters trespassing on federal property at the Edith Green Federal Building. While attempting to remove protesters, agents were

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assaulted with frozen water bottles, hard objects and a flaming object. Less lethal munitions were deployed.

07/17/2020 at 0000 hours PST: PPB reported that a vehicle rushed their line at the Multnomah County Sheriff's Office/ Portland Police Bureau South Precinct at a high rate of speed. PPB was forced to T-bone the suspect vehicle in order to stop the vehicle from colliding into officers.

07/17/2020 at 0002 hours PST: BORTAC and FPS Officers returned to the Hatfield Courthouse.

07/17/2020 at 0026 hours PST: Northwest perimeter fence at Lownsdale Square has been removed by protesters and is being utilized as a barricade at 4th and Main.

07/17/2020 at 0126 hours PST: Protesters began to breach the TSP fence (federal property) across from the Edith Green Building. FPS and BORTAC pushed the protesters from the federal property where the breach occurred. No arrests were made.

07/17/2020 at 0201 hours PST: Breach temporarily fixed. BORTAC returned back to Edith Green Building.

07/17/2020 at 0248 hours PST: No additional significant incidents to report at the Federal Facilities. No arrest were made. All USBP personnel have been released.

**CBP Portland Team Sit Rep 7/17/20 to 7/18/20:**

At 1700 PST, July 17, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

07/17/2020 at 2100 hours PST: Approximately 200 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza(TSP)).

07/17/2020 at 2102 hours PST: A section of perimeter fence around TSP that the city of Portland installed was taken down by the protesters.

07/17/2020 at 2136 hours PST: Federal agents (ERO SRT) positioned inside the Edith Green Federal Building were assaulted by a green laser that is being directed at law enforcement's eyes and face.

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07/17/2020 at 2200 hours PST: SDC/SOD supported the FPS Team in removing fencing that was placed at the entry/exits of Edith Green building. This fencing was used in an attempt to barricade law enforcement in the building. While clearing the entry/exits Federal agents were assaulted by green lasers being directed in their eyes and face.

07/17/2020 at 2211 hours PST: Violent subjects began to assault Federal Law Enforcement personnel by shining harmful lasers into officers / agent's eyes and face. Law Enforcement personnel were attempting to clear the exits of the Edith Green building and protesters refused to leave despite multiple warnings that they were trespassing. Protesters refused to leave federal property and continued to assault Federal Law Enforcement personnel with harmful lasers. Less lethal (b)(7)(E) munitions were deployed by teams. Spent less lethal munitions casing were recovered by the violent protesters and thrown at the agents.

07/17/2020 at 2218 hours PST: Law enforcement teams returned into Edith Green building. One subject was arrested by FPS and cited for failure to comply.

07/17/2020 at 2240 hours PST: Portland Police Bureau (PPB) broadcasted over their service radio frequency that protesters might set up booby traps in front of the entry/exits buildings and threatened to kill officers.

07/17/2020 at 2249 hours PST: Aerial fireworks being deployed in downtown area.

07/17/2020 at 2255 hours PST: The number of protesters has increased to approximately 800.

07/17/2020 at 2333 hours PST: The Subject arrested by FPS is identified as (b)(6), (b)(7)(C) and charged with 41 CFR 102-74.385 (Failure to comply).

07/17/2020 at 2357 hours PST: Protesters attempted to barricade the Hatfield Courthouse by stacking up city chain link fence panels in the entry/exits points. SOG US Marshals deployed (b)(7)(E) munitions to disperse the protesters from a porthole on the door. In response to the (b)(7)(E) munitions deployment from the porthole. Protesters shined lasers through the doors, threw objects inside the porthole and then blocked the porthole with chain link fencing. The entry/exits remains barricade (contingency entry/exits still exist).

07/18/2020 at 0019 hours PST: Protesters left Hatfield Courthouse carrying additional chain link fencing towards Edith Green. Protesters barricaded an entry/exit at Edith Green with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

07/18/2020 at 0039 hours PST: Protesters barricaded an entry/exit at the Justice Center with chain link fencing and deployed large fireworks near the entry/exit in an apparent attempt to burn the building.

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07/18/2020 at 0131 hours PST: PPB made an "Unlawful Assembly Announcement" to the crowd and stated that they had 5 minutes to clear the area.

07/18/2020 at 0139 hours PST: All Federal teams with PPB began to disperse the protesters from the downtown area. While attempting to disperse the crowd, agents were assaulted with glass bottles, hard objects, multiple large fireworks and lasers. Less lethal munitions were deployed to stop the violent attack and protect other law enforcement personnel.

07/18/2020 at 0214 hours PST: Federal teams were able to disperse the crowd, removed barricades from the Federal buildings and returned back inside the Federal buildings. PPB continued to move the protesters away from the downtown area.

07/18/2020 at 0230 hours PST: PPB was able to disperse the protesters and moved the crowd approximately 8 city blocks. The Downtown area currently is clear of protesters.

07/18/2020 at 0309 hours PST: No additional significant incidents to report at the Federal Facilities. No additional arrest were made. All USBP personnel have been released.

\*During the dispersal of the crowd at approximately 0139-0214, a USBP agent was struck on his right leg (above the knee) with a hard object. The injury did not require medical attention. (b)(7)(E)

(b)(7)(E)

\*\*At 1900, all USBP personnel attended a brief delivered by the CBP Office of Chief Counsel covering civil rights and legal authorities while responding to civil unrest while supporting FPS.

**PATH FORWARD: July 17-18**

- SDC/SOD will continue mission lead until 7/22/20
- FPS will be installing anti-climb fencing around the Hatfield Courthouse. Install is expected to take place on Sunday
- **CBP Portland Team Sit Rep 7/18/20 to 7/19/20:**
- At 1700 PDT (2000 EDT), July 18, 2020, USBP SDC/SOD, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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- CBP OPR provided a brief covering their roles and responsibilities. OPR will have (b)(7)(E) detailed personnel assigned to operation beginning Monday (07/20/20).
- 
- 07/18/20: A metal anti-climb embassy fence was placed around the Hatfield Courthouse at the edge of the sidewalk establishing a clearly defined perimeter/designation of Federal property.
- 
- 07/18/2020 at 2100 PDT (0001 EDT): Approximately 250 protesters have gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).
- 
- 07/18/2020 at 2135 PDT (0035 EDT): USMS advised that they (b)(7)(E)
- (b)(7)(E)
- 
- 07/18/2020 at 2146 PDT (0046 EDT): Protesters destroyed a panel of the newly constructed anti-climb embassy fence that allowed access to Federal property.
- 
- 07/18/2020 at 2200 PDT (0100 EDT): Approximately 600 protesters are currently in the downtown area.
- 
- 07/18/2020 at 2219 PDT (0119 ED): Protesters are using the removed anti-climb embassy fence to barricade the front doors of the Hatfield Courthouse.
- 
- 07/18/2020 at 2227 PDT (0127 EDT): Violent protesters are currently ramming the front door of the Hatfield Courthouse with a center pole from the anti-climb fence (makeshift battering ram) and utilizing a crowbar in attempt to pry open the front door.
- 
- 07/18/2020 at 2240 PDT (0140 EDT) : USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove the barricades. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.
- 
- 07/18/2020 at 2248 PDT (0148 EDT): USMS returned back inside the Hatfield Courthouse.
- 
- 07/18/2020 at 2250 PDT (0150 EDT): Approximately 6 miles away from the downtown area, PPB reported the Portland Police Association (1868 N Lombard St, Portland, OR 97209) building was set on fire by violent criminals.
- 
- 07/18/2020 at 2252 PDT (0152 EDT): USMS exited the front of the Hatfield Courthouse to disperse the violent crowd and remove barricades. As USMS personnel were outside the building violent criminals threw hard/heavy objects, which included the spent less lethal (b)(7)(E)

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munitions casings, at the agents and assaulted the agents with green lasers. Less lethal (b)(7)(E) munitions were deployed. No DHS components participated in this response.

- 
- 07/18/2020 at 2256 hours PDT (0156 EDT): USMS returned back inside the Hatfield Courthouse.
- 07/18/2020 at 2314 hours PDT (0214 EDT): Commercial grade fireworks are being fired directly at the Hatfield Courthouse.
- 07/19/2020 at 0018 hours PDT (0318 EDT): Violent subjects are dismantling and moving the fence around the Terry Schrunk Plaza (Federal property).
- 07/19/2020 at 0226 hours PDT (0526 EDT): FPS deployed less lethal munitions against an individual that was forcibly trying to make an unlawful entry into the Edith Green Federal building. The subject stopped attempting to make entry and left the area.
- 07/19/2020 at 0318 hours PDT (0618 EDT): No additional significant incidents to report at the Federal facilities. No arrest were made. All personnel have been released.
- 

**CBP Portland Team Sit Rep 7/19/20 to 7/20/20:**

At 1700 PST, July 19, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/20/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT

07/19/2020 at 2100 hours PDT (0001 EDT): Approximately 450 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/19/2020 at 2130 hours PDT (0030 EDT): Protesters are reported to be spray painting the Edith Green Building.

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07/19/2020 at 2138 hours PDT (0038 EDT): Violent opportunist tore down a portion of the fence surrounding the Hatfield Courthouse and carried it away from the building.

07/19/2020 at 2154 hours PDT (0054 EDT): Violent opportunists assaulted agents with (Red, Green and Purple) laser targeting their eyes and face.

07/19/2020 at 2224 hours PDT (0124 EDT): Estimated crowd size 1000.

07/19/2020 at 2304 hours PDT (0204 EDT): Violent opportunists are throwing rocks in the entry of the Hatfield Courthouse.

07/19/2020 at 2306 hours PDT (0206 EDT): A violent opportunist was seen in the crowd with a radio "jammer" intended to disrupt the ability of law enforcement personnel and emergency medical services to communicate via service radio.

07/19/2020 at 2336 hours PDT (0236 EDT): Violent opportunists continue to destroy federal property and remove sections of the perimeter fence at Hatfield Courthouse.

07/19/2020 at 2340 hours PDT (0240 EDT): FPS command instructed to lockdown the Hatfield Courthouse closing all port holes and doors.

07/19/2020 at 2350 hours PDT (0250 EDT): Agents deployed out of the Hatfield Courthouse to stop violent protesters who were trying to break down the front doors. Federal officer and agents were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. The violent opportunists utilized leaf blowers (b)(7)(E) (b)(7)(E) towards the agents. Agents and officers were violently attacked while attempting to disperse the crowd with rocks, glass bottles, multiple incidents of green lasers to the eyes, and commercial grade fireworks shot at the agents.

07/20/2020 at 0026 hours PDT (0326 EDT): Agents returned back to the Hatfield Courthouse.

\*When exiting the Hatfield Courthouse, one CBP agent was struck in the lower left leg/shin with what we suspect to be a steel ball or marble (shot by a slingshot). The approximate one inch circular impact broke

(b)(7)(E) The agent is being transported to the (b)(7)(E) (b)(7)(E) to receive medical treatment (b)(7)(E)

07/20/2020 at 0111 hours PDT (0411 EDT): Violent protesters returned back to the Hatfield Courthouse and are barricading the front doors.

07/20/2020 at 0129 hours PST: Violent opportunists are breaking surveillance cameras around the Hatfield Courthouse.

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07/20/2020 at 0134 hours PST: A fire was started by violent opportunists on the Northwest corner of the Hatfield Courthouse. Agents exited the Hatfield Courthouse to extinguish the fire and were forced to utilize (b)(7)(E) to disperse the crowd.

07/20/2020 at 0154 hours PST: One subject adding fuel to the fire near the Hatfield Courthouse was arrested by the US Marshals. Subject (b)(6), (b)(7)(C) Charged with attempted arson and trespassing.

07/20/2020 at 0300 hours PST: Crowd size reported at approximately thirty (30). No additional significant incidents/injuries to report at the Federal facilities. One arrest was made by US Marshals. All personnel have been released.

\*Agent injured in the lower leg: (b)(7)(E)

(b)(7)(E)

**CBP Portland Team Sit Rep 7/21/20 to 7/22/20:**

At 1700 PST, July 21, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT

**CBP Portland Team Sit Rep 7/20/20 to 7/21/20:**

At 1700 PST, July 20, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. SDC/SOD will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/21/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) OFO SRT
- (b)(7)(E) SDC/SOD Recovering from Injury

07/20/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/20/2020 at 2155 hours PDT (0055 EDT): Approximately 1700 protesters are currently blocking 3<sup>rd</sup> and Main.

07/20/2020 at 2332 hours PDT (0232 EDT): Violent opportunist breached a port hole in the Hatfield Courthouse and threw water bottles inside.

07/20/2020 at 2338 hours PDT (0238 EDT): Violent opportunist are banging on the front of the Hatfield Courthouse chanting "Feds Go Home".

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07/21/2020 at 0023 hours PDT (0323 EDT): Violent opportunist forcibly breached the Hatfield Courthouse by ripping off the plywood barrier and battering it with a fire extinguisher.

07/21/2020 at 0026 hours PDT (0326 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, plywood pieces and lasers and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0229 hours PDT (0529 EDT): A violent opportunist removed a protective layer of plywood with fire proof paint from the entrance to the Hatfield Courthouse. The exposed plywood made the courthouse more susceptible to fire greatly increasing the danger to the agents inside. A violent opportunist attempted to use some kind of accelerant set the exposed plywood on fire. Agents deployed out of the Hatfield Courthouse and successfully extinguished and made arrests without any further incident.

07/21/2020 at 0302 hours PDT (0602 EDT): Agents deployed out of the Hatfield Courthouse to disperse the crowd of violent protesters. Agents were violently attacked while attempting to disperse the crowd with rocks, hard objects, lasers and a balloon filled with human feces and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.

07/21/2020 at 0400 hours PDT (0700 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two subjects were arrested by FPS for 18 USC 111 Assault on a Federal Officer and 3 subjects arrested by FPS for 41 CFR 102-74.385 Failure to Comply.

- 07/21/2020 at 1856 hours PDT (2156 EDT): FPS arrested one violent opportunist that was attempting to breach the front door with a crowbar .
- 07/21/2020 at 2033 hours PDT (2333 EDT): Approximately 75-100 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).
- 07/21/2020 at 2117 hours PDT (0017 EDT): Approximately two thousand protesters are gathered around the area of responsibility; a crowd noticeably larger than last night.
- 07/21/2020 at 2117 hours PDT (0017 EDT): A non-government drone was reported flying over 3<sup>rd</sup> and Main. An active Temporary Flight Restriction (activated by FAA) is in place that makes flying a drone illegal in this immediate area. It is believed that the drone may be being utilized to provide situational awareness to the violent opportunists.

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- 07/21/2020 at 2300 hours PDT (0200 EDT): Violent opportunists are trying to breach (forcibly pry open and ram) the front doors of the Hatfield Courthouse.
- 07/21/2020 at 2304 hours PDT (0204 EDT): Violent opportunists altered their tactics, from attempting to breach the front doors to the Hatfield Courthouse, to barricading them utilizing poles and fencing.
- 07/21/2020 at 2305 hours PDT (0205 EDT): Teams (CBP / ERO /FPS/USMS) deployed from Edith Green Federal Building and the Hatfield Courthouse to disperse the violent crowd and remove the barricades.
- 07/21/2020 at 2335 hours PDT (0235 EDT): Agents dispersed the violent crowd and returned back to the Federal buildings. Agents were assaulted with hard objects and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 07/21/23 at 2338 hours PDT (0238 EDT): A Violent opportunist spray painted and broke an exterior security camera on Edith Green Federal Building.
- 
- 07/22/2020 at 0026 hours PDT (0326 EDT): A Violent opportunist threw two “Molotov cocktails” at the southern entrance and started a fire at the front entrance of the Hatfield building (Protective Security Officer witnessed via security camera). When Agents/Officers attempted to utilize a porthole to put the fire out, a violent opportunist shined the laser inside the porthole and tried to throw objects inside the courthouse.
- 
- 07/22/2020 at 0051 hours PDT (0351 EDT): Agents/Officers dispersed the crowd and returned back to the Federal buildings. Agents/Officers were assaulted with hard objects, bottles, rocks, fruits, commercial grade fireworks and lasers to the eyes and were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property. A CBP Agent arrested one violent opportunist during the dispersal. The Violent Opportunist was seen throwing objects at agents/officers, hid in the bushes and then started coming up from behind the agents/officers.
- 
- 07/22/2020 at 0107 hours PDT (0407 EDT): Violent opportunists are now barricading the Hatfield Courthouse with debris, fence panels and plastic traffic barriers.
- 
- 07/22/2020 at 0121 hours PDT (0421 EDT): Violent opportunists ignited a fire near the Hatfield Courthouse.
- 

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- 07/22/2020 at 0140 hours PDT (0440 EDT): Violent opportunists removed the plywood outer wall from the Hatfield Courthouse and used a steel pole to punch a hole through the reinforced glass.
- 
- 07/22/2020 at 0145 hours PDT (0445 EDT): Agents/Officers deployed out of the Hatfield Courthouse to stop them from tearing the plywood outer wall down and attempt to gain entry into the courthouse.
- 
- 07/22/2020 at 0247 hours PDT (0547 EDT): Agents/Officers returned to the federal buildings. While dispersing the crowd, agents/officers were assaulted with fireworks, rocks, golf balls, burning canisters, canned food and a water bottles. An FPS Officer was assaulted with a caustic liquid substance which appears to have caused minor chemical burns. The FPS officer was treated on the scene and remained in service. Agents/Officers were forced to deploy less lethal (b)(7)(E) munitions to disperse the violent crowd and remove them from Federal property.
- 
- 07/22/2020 at 0320 hours PDT (0620 EDT): A violent opportunist threw a “Molotov Cocktail” at an opening in the front of the Hatfield Courthouse.
- 
- 07/22/2020 at 0327 hours PDT (0627 EDT): USMS were able to apprehend the violent opportunist that threw the “Molotov Cocktail”.
- 
- 07/22/2020 at 0416 hours PDT (0716 EDT): The violent crowd dispersed. No additional significant incidents or injuries to report at the Federal facilities. Two commercial grade fireworks used by violent opportunists to assault Agent/Officers were found in the park. Eight subjects were arrested / 4 subjects arrested by CBP personnel (Assaults) the other 4 were arrested by Federal partners on the scene.
- Preliminary charges:
  - 4 – 18 USC 111 Assaulting, Resisting, or impeding certain officer or employees
  - 1 – 18 USC 930 Possession of Firearm
  - 2 – 41 CFR 102-74.385 Failure to Comply
  - 1 – Pending charges from ATF (Molotov cocktail subject).

All CBP personnel were released.

**CBP Portland Team Sit Rep 7/22/20 to 7/23/20:**

At 1700 PST, July 22, 2020, USBP SDC/SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

**CBP MANPOWER 7/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/22/2020 at 2029 hours PST: Approximately 75-100 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/22/2020 at 2111 hours PST: Approximately 1500 protesters are gathered around the area of responsibility.

07/22/2020 at 2130 hours PST: Approximately 2000 protesters are gathered around the area of responsibility.

07/22/2020 at 2138 hours PST: Violent opportunists in the vicinity of the Hatfield Courthouse are utilizing power tools (saws) to attempt to breach the perimeter fence, shooting fireworks and starting fires inside the perimeter of the courthouse fence (near the steps).

07/22/2020 at 2249 hours PST: Violent opportunists are launching objects with sling shots at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/22/2020 at 2307 hours PST: Violent opportunists breached the perimeter fence and are inside the inner perimeter of the Hatfield Courthouse.

07/22/2020 at 2310 hours PST: Violent opportunists are shooting ball bearings at the Hatfield Courthouse and are adding accelerant to the fire inside the perimeter fence on the steps of the Hatfield Courthouse.

07/22/2020 at 2342 hours PST: CBP agents/officers deployed out the front of the Hatfield Courthouse to arrest a subject that had scaled the fence and was inside the perimeter. The subject was given multiple warnings not be inside the fence (Federal property) prior to the arrest.

07/23/2020 at 0027 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

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07/23/2020 at 0031 hours PST: Commercial grade aerial fireworks being aimed at observation post on the Hatfield Courthouse and landing close to the CBP agents/officers.

07/23/2020 at 0048 hours PST: The violent crowd size is approximately 1000.

07/23/2020 at 0136 hours PST: Violent opportunists threw two burning "Molotov Cocktails" at the Hatfield Courthouse.

07/23/2020 at 0155 hours PST: CBP personnel deployed from the Hatfield Courthouse to arrest violent opportunists that entered past the perimeter fence. The violent opportunists were given multiple warnings prior to the arrests. Six arrests have been made at this time. All were charged with 41 CFR 102-74.385 Failure to Comply. Four of the six arrests were made by CBP agents/officers. When CBP personnel deployed they were assaulted with lasers, cans of food (caused an injured toe), beer cans, water bottles (caused a bloody nose) and a balloon filled with paint and an unknown chemical agent that caused burning to the CBP agents/officers neck and chest.

07/23/2020 at 0209 hours PST: Violent opportunists continue to throw "Molotov Cocktails" and shoot commercial grade fireworks at the entrance of Hatfield Courthouse.

07/23/2020 at 0335 hours PST: Violent opportunists threw another "Molotov Cocktails" (approximately 4 total) at the Hatfield Courthouse.

07/23/2020 at 0400 hours PST: Approximately 50-60 protesters. No additional significant incident or injuries to report at the Federal facilities. No additional arrest (6 Total / 4 CBP). No Portland Police Bureau participation (outside of Riot Declaration)..

GSA installed concrete barrier (K-Rail) with fencing around the Hatfield Courthouse.

AMO [redacted] (b)(7)(E) flew overhead providing aerial situational awareness. AMO personnel are working on establishing [redacted] (b)(7)(E)

ALL CBP personnel were released.

**CBP Portland Team Sit Rep 7/23/20 to 7/24/20:**

At 1700 PST, July 23, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the [redacted] (b)(7)(E) and [redacted] (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Temporary restraining order issued on 07/23/20 relating to journalists and legal observers. Pending additional instructions from OCC on 7/24/20.

**CBP MANPOWER 7/23/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/23/2020 at 2020 hours PST: Approximately 500 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schrunck Plaza (TSP)).

07/23/2020 at 2115 hours PST: Approximate 900 protesters are gathered around the area of responsibility.

07/23/2020 at 2309 hours PST: Announcements given at the protesters gathered around the Hatfield Courthouse to stay off the perimeter fence.

07/23/2020 at 2311 hours PST: A violent opportunist climbed the fence and ran onto Federal property in front of the Hatfield Courthouse. The subject then climbed back over the fence and back into the crowd.

07/23/2020 at 2334 hours PST: Violent opportunists are throwing full garbage bags over the perimeter fence at the Hatfield Courthouse. Approximately 2,000 protesters are gathered around the area of responsibility.

07/23/2020 at 2335 hours PST: An AMO air asset (b)(7)(E)

(b)(7)(E)

07/23/2020 at 2341 hours PST: A subject (possible female) that was spotted in the crowd, wearing all black is suspected to have a frequency/radio jammer. Multiple times throughout the civil disturbance subjects have been spotted with a suspected frequency/radio jammer (backpack with what appears to be large antennas).

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07/23/2020 at 2345 hours PST: Commercial grade fireworks are being shot at the observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse.

07/23/2020 at 2354 hours PST: Multiple bottles, commercial grade fireworks and fires being started in front of the Hatfield Courthouse (inside the perimeter).

07/24/2020 at 0014 hours PST: A drone was spotted flying over the protesters near 3<sup>rd</sup> and Salmon. AMO was advised for safety of flight purposes.

07/24/20 at 0038 hours PST: Violent opportunists were spotted by the AMO aircraft tying ropes to the fence and using saws to attempt to breach the perimeter fence.

07/24/20 at 0050 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists who were attempting to breach the perimeter fence. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0057 hours PST: Violent opportunists were throwing knives at agents/officers when they deployed from the Hatfield Courthouse.

07/24/20 at 0116 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to disperse the violent opportunists on Federal property and attempt to arrest subjects trespassing. One subject was arrested by USMS. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists.

07/24/20 at 0122 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse and other Federal buildings within the perimeter to disperse violent opportunist who were breaching the fence and entering Federal property. One subject was arrested by CBP personnel. Less lethal / (b)(7)(E) munitions deployed to disperse the violent opportunists. When the agents/officers deployed they were assaulted with hard objects, bottles, commercial grade fireworks and lasers.

07/24/20 at 0210 hours PST: All CBP and Federal partner teams back inside the Federal buildings within the perimeter.

07/24/20 at 0226 hours PST: Violent opportunists throwing bricks at the Hatfield Courthouse.

07/24/20 at 0245 hours PST: CBP assisted HSI in the arrest of a subject without incident for 18 USC 119 Protection of Individual Performing Certain Official Duties. Subject was identified as harassing and stalking Federal employees assigned to assist the Federal Protective Service with the ongoing civil unrest in Portland, Oregon. Specifically, he used social media platforms to knowingly release personal information of covered personnel with the intent to threaten, intimidate or incite violence.

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07/24/20 at 0251 hours PST: Violent opportunists continue to breach the perimeter fence around the Hatfield Courthouse utilizing a hacksaw to saw the welds, ropes to increase leverage while pulling on the fence and bolt cutters to make holes in the fence.

07/24/20 at 0315 hours PST: Teams deployed from Federal buildings to disperse the remainder of violent opportunists. After establishing a line, violent opportunists assaulted the agents/officers with hard objects. Four subjects were arrested by CBP personnel. Less lethal and (b)(7)(E) were utilized to disperse the violent opportunists.

07/24/20 at 0448 hours PST: Reported assaults tonight include:

- Violent opportunist grabbed an agent and attempted to put him in a headlock.
  - Laser strikes to the eyes of agents/officers.
  - Eggs being thrown at agents/officers.
  - Spent munitions and canisters hitting agents/officers.
  - Commercial fireworks being shot at agents/officers.
  - One agent was hit by a glass bottle in the shoulder.
  - One agent was hit in the groin area by a suspected ball bearing shot by a sling shot.
- Injuries Reported: One agent injured his shoulder/arm while assisting/preventing a violent opportunist from continued assault of a fellow agent.
  - Arrest: Nine total arrests. CBP accounted for seven arrests. Pending charges below.
    - 1 - 18 USC 119 Protection of Individual Performing Certain Official Duties
    - 7 - 41 CFR 102-74.385 Failure to Comply
    - 1 - 18 USC 111 Assaulting, Resisting, or Impeding Certain Officer or Employees
  - No additional significant incidents/injuries to report at the Federal facilities.
  - Portland Police Bureau did not participate.
  - (b)(7)(E)  
(b)(7)(E) Estimated on target time 2315-0215 (3 Hour Flight Time) daily.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/24/20 to 7/25/20:**

At 1700 PST, July 24, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction

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force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order.

AMO on target time estimated from 2300-0200 tonight. (b)(7)(E)

**CBP MANPOWER 7/24/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR (b)(7)(E) Agents (b)(7)(E) BPA UoF
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/24/2020 at 2144 hours PST: Approximately 4,000 protesters are gathered in the downtown area (Lowndale Square, Chapman Square and Terry Schruck Plaza (TSP)).

07/24/2020 at 2220 hours PST: FPS arrested one subject who jumped over the perimeter fence at the Hatfield Courthouse.

07/24/2020 at 2302 hours PST: Violent opportunists are attempting to push over the perimeter fence. The fence is being compromised (pushed the fence back in forth breaking welds). Multiple warnings given for the crowd to disperse via a loud speaker by FPS.

07/24/2020 at 2309 hours PST: Violent opportunists are throwing multiple projectiles, commercial grade fireworks, and paint filled balloons. Additionally, leaf blowers are being utilized to blow smoke into the Hatfield Courthouse and saws are being utilized to breach the perimeter fence.

07/24/2020 at 2312 hours PST: CBP and Federal partners teams deployed from the Hatfield Courthouse to disperse the crowd, move them away from fence and extinguish fires set by violent opportunist inside the perimeter (to prevent the fires to reach the building). Less lethal / (b)(7)(E) were utilized to disperse the crowd and remove them from Federal property. Multiple warnings continue to be given via loud speaker by FPS to the crowd to disperse.

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07/24/2020 at 2317 hours PST: Violent opportunists disabled security cameras around the Hatfield Courthouse by shooting them with paintball guns. This eliminated our ability to gain situational awareness of the violent opportunists actions around building.

07/24/2020 at 2336 hours PST: AMO is (b)(7)(E)

07/24/2020 at 2359 hours PST: Violent opportunists continue to attempt to breach the fence with power tools (angle grinders/saws) and sledge hammers. Announcements continue to be made for the crowd to disperse and not to jump the fence into Federal property. At the tactical discretion of the on-site commander (Hatfield Courthouse), teams deployed out the front of the building and utilize less lethal / (b)(7)(E) in an effort to disperse the crowd. CBP and Federal partner teams have remained inside the perimeter. CBP and Federal partner teams have been assaulted with green lasers, bottles, rocks and hard objects when outside of the Hatfield Courthouse.

07/25/2020 at 0013 hours PST: One FPS Officer was hit in the head with a bottle causing an injury. (b)(7)(E)

(b)(7)(E) no further medical attention was necessary at this time.

07/25/2020 at 0033 hours PST: Violent opportunists are launching commercial grade fireworks at the observation post on the NW side of Hatfield Courthouse 7<sup>th</sup> Floor that are exploding very close to the agents/officers position.

07/25/2020 at 0040 hours PST: Violent opportunists threw a bag full of feces over the fence inside the perimeter at the Hatfield Courthouse.

07/25/2020 at 0132 hours PST: A significant amount of the protesters are now wearing gas masks and protective equipment minimizing the effects of chemical agents.

07/25/2020 at 0156 hours PST: Violent opportunists started a large fire at the corner of 3<sup>rd</sup> and Salmon.

07/25/2020 at 0229 hours PST: CBP and Federal partners teams deployed from the Federal buildings to disperse the violent opportunists that were shooting commercial grade fireworks, starting large fires and assaulting officers with hard objects in front of the Hatfield Courthouse. CBP agents/officers dispersed the violent crowd with the assistance of FPS (b)(7)(E)

(b)(7)(E) The Portland Police Bureau (PPB) also deployed to disperse the violent crowd.

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07/25/2020 at 0256 hours PST: Violent opportunists laid spike strips at the entry and exit points of the Edith Green Federal Building. A CBP Government vehicle departed and three tires suffered punctures. No injuries to report. No significant damage (other than flat tires) to report.

07/25/2020 at 0257 hours PST: A violent opportunist hit the AMO (b)(7)(E) with a laser at approximately (b)(7)(E). The AMO crew and aircraft were not impacted.

07/25/2020 at 0315 hours PST: The CBP and Federal partner teams returned to the Federal buildings. While deployed, agents/officers were assaulted by the violent opportunists with hard objects being thrown at them and commercial fireworks being shot at the. No significant injuries to CBP personnel were reported. Sox FPS officers reported minor injuries. A subject that was caught in the middle of violent opportunists throwing hard objects and shooting fireworks at the agents/officers. For the safety of the subject, she was placed in the FPS marked vehicle and moved away for the location.

07/25/2020 at 0340 hours PST: The AMO aircraft returned to base.

07/25/2020 at 0424 hours PST:

- Portland Police Bureau participated in the dispersion of the crowd.
- The subject that jumped the perimeter fence at 2220 hours was only detained at released by FPS. (Updated information provided by FPS)
- A CBP agent momentarily detained an individual who was brought to them by protesters. The protesters stated that the individual had stabbed someone. For the agent's safety the individual was detained and searched for weapons. Approximately 5-10 minutes later, Portland Police Bureau arrived and the CBP agent turned over the individual to PPB.
- No additional significant incidents/injuries to report at the Federal facilities.
- Zero arrests.

All CBP Personnel have been released.

End of Report

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD

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- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

**CBP MANPOWER 7/25/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

**EXECUTION (updated 7/25/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX): Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX): Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX): Liaison coordination
- OFO/SRT (b)(7)(E) PAX): Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX): (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/25/20 to 7/26/20:**

At 1700 PST, July 25, 2020, USBP SOG and SOD, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

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AMO plans to have: (b)(7)(E) throughout the night from 2200-0300 tonight. (b)(7)(E)

**CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Ground (b)(7)(E) Air Crew (b)(7)(E)

07/25/2020 at 2113 hours PST: Approximately 4,000 – 5,000 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/25/2020 at 2155 hours PST: The AMO air asset (b)(7)(E)  
(b)(7)(E)

07/25/2020 at 2301 hours PST: CBP and Federal partner teams deployed out of the Hatfield Courthouse to stop violent opportunists who were attempting to breach the fence with hand tools. Less lethal (b)(7)(E) were utilized to disperse the violent opportunists. While deployed agents/officers were assaulted with a near constant barrage of commercial grade fireworks, lasers, hard objects and an unknown chemical being sprayed on the agents/officers. FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker.

07/25/2020 at 2340 hours PST: CBP and Federal partner teams returned back inside Hatfield Courthouse. The crowd size is estimated 5,000 – 6,000 currently.

07/25/2020 at 2354 hours PST: A violent opportunist is using an angle grinder in an attempt to breach the fence.

07/26/2020 at 0003 hours PST: FPS gave unlawful assembly messages and dispersal orders continually via a loud speaker. Agents/officers utilized less lethal munition (b)(7)(E) techniques in an effort to stop violent opportunist from breaching the fence.

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07/26/2020 at 0020 hours PST: CBP agents/officers assisted HSI on the arrest of a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace.

07/26/2020 at 0034 hours PST: Violent opportunists attached ropes to the top of the fence and are attempting to collapse it.

07/26/2020 at 0057 hours PST: Violent opportunists are shooting commercial grade fireworks directly at CBP observation post on the 7<sup>th</sup> floor of the Hatfield Courthouse that are exploding extremely close to the agents/officers and damaging glass in the building.

07/26/2020 at 0103 hours PST: Violent opportunists tore a large section (approximate 100') of the perimeter fence around Hatfield Courthouse down. After tearing down the fence, the violent opportunists entered the inner perimeter of the fence on Federal property. The violent opportunists started lighting fires in front of the Hatfield Courthouse. In an effort to disperse the crowd, agents/officers deployed less lethal munitions / (b)(7)(E)

07/26/2020 at 0103 hours PST: The Portland Police Bureau (PPB) declared the current situation as a riot.

07/26/2020 at 0127 hours PST: Violent opportunists formed a line with shields in front of the Hatfield Courthouse and were shooting commercial grade fireworks inside the building. CBP and Federal partner teams deployed out of the Federal buildings and utilized less lethal munitions (b)(7)(E) in an effort to disperse the violent crowd. The agents/officers were assaulted by the violent opportunists by launching commercial grade fireworks, glass bottles and other hard objects. No serious injuries were reported at this time and 11 arrests were made.

- Arrests: CBP accounted for 5 of the 11 arrests.
  - 2 - 41 CFR 102-74.385 Failure to Comply
  - 9 - 18 USC 111 Assault on a Federal Officer (5 CBP)

\*\*\*\*UPDATE\*\*\*\*

Additional assaults and injuries not captured from the dispersion reported at 0127 PST:

- Assaults:
  - Violent opportunist threw paint on agents/officers.
  - Violent opportunist shot lasers to the eyes of the agents/officers.
  - Violent opportunist threw frozen blocks of ice hitting agents/officers.
- Injuries:
  - One agent was hit in the knee with a brick.
  - One agent cut his hand with a nail from a shield.
- Arrests: 11 Total arrests / 4 by CBP (initially 5 CBP arrests were reported)

07/26/2020 at 0310 hours PST: The AMO air asset returned to base.

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07/26/2020 at 0543 hours PST:

- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 11 Total arrests / 4 by CBP

Final Report (Portland teams only)

#### **CBP Seattle Team Sit Rep 7/25/20 to 7/26/20:**

At 1230 PST, July 25, 2020, USBP BLW, OFO SRT, and FPS Team leaders attended a briefing at the Jackson Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and the (b)(7)(E). The courthouses will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Earlier this morning a federal judge overseeing the Consent Decree issued a temporary order halting the implementation of City Council's recently passed legislation that banned the Seattle Police Department (SPD) from using less-lethal crowd management tools that had previously been approved by the Court, including blast balls and pepper spray.

#### **CBP MANPOWER 7/25/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) USBP/BLW
- (b)(7)(E) OFO SRT
  - (b)(7)(E) Laredo SRT
  - (b)(7)(E) Los Angeles SRT
  - (b)(7)(E) San Francisco SRT
  - (b)(7)(E) Seattle SRT via GOV

07/25/2020 at 1230 Hours PST: Team Leaders meeting at Jackson Federal Bldg with FPS to discuss assignments

07/25/2020 1330 Hours PST: Attended the CBP Brief at (b)(7)(E) (b)(7)(E)

07/25/2020 1430 Hours PST: All CBP personnel in place at their assigned venues

- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) USBP and (b)(7)(E) OFO SRT at (b)(7)(E)
- (b)(7)(E) OFO SRT at (b)(7)(E)

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07/25/2020 1600 Hours PST: FPS reports a group of about 5,000 protestors began marching and setting fires near the East Precinct of The Seattle Police Department. The group is marching north and are about ¾ miles east of the U.S. District Courthouse, at 700 Stewart St.

07/25/2020 1714 Hours PST: USMS reports that several Seattle Police Department Officers at the East Precinct have suffered injuries due to mortars and rocks being launched by the crowd.

07/25/2020 1800 Hours PST: Police begin pushing protestors westward from Pine and Broadway.

07/25/2020 1830 Hours PST: It was reported that the Seattle Police Department had requested mutual aid from King County Sheriff's Office.

07/25/2020 1930 Hours PST: Protesters had been less violent and concentrated around the area of Pine and Broadway. At police lines changed and there are reports that police are pushing protest groups East towards Broadway again. There is little to no activity around the areas where CBP Personnel are deployed at this time.

07/25/20 at 2333 Hours PST:

- All CBP Personnel accounted for and released
- No Significant Activity to report
- Scheduled for 11:00am start on 07/26/20

Final Report (Seattle teams only)

All CBP Personnel (in Portland, OR and Seattle, WA) have been released.

End of Combined Report

**PATH FORWARD: July -25 to 26**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E) (b)(7)(E)
- OFO SRT and USBP BLW will continue to provide FPS support in Seattle, WA.

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD

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- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

**EXECUTION (updated 7/27/20)**

Beginning July 2<sup>nd</sup> until further notice, CBP will deploy agents/officers to support FPS in Portland, OR and Seattle, WA to protect federal facilities and property.

- San Diego Sector SOD (b)(7)(E) PAX: Began travel via ground to Portland on 7/11/20 and arrived in Portland on 7/12/20. Assumed mission lead for USBP on 7/14/20 until 7/22/20. Additional SDC/SOD support arrived on 7/16/20 (b)(7)(E) BORTAC, (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- Special Operations Group (b)(7)(E) PAX: Command and Control for CBP operations
- USBP HQ (b)(7)(E) PAX: Liaison coordination
- OFO/SRT (b)(7)(E) PAX: Activated on 7/17/20 and arrived in Portland on 7/19/20
- Yuma SOD (b)(7)(E) PAX: (b)(7)(E) CBP YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents) arrived in Portland, Oregon. Team and is operational.
- OFO SRT and USBP BLW agents and officers commenced FPS support operations in Seattle, WA.

**TRAINING and CROSS DESIGNATION**

- All agents and officers will complete FPS cross designation and appropriate OCC training.
- FPS established a one-hour web based training program for the required 40 USC 1315 cross-designation.
- All CBP personnel have been briefed and understand the intent of the Temporary Restraining Order (Portland, OR).

**CBP Portland Team Sit Rep 7/26/20 to 7/27/20:**

At 1700 PST, July 26, 2020, USBP SOG, SOD and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

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CBP personnel previously assigned to Seattle, WA were re-assigned to Portland and arrive on scene:

- (b)(7)(E) CBP OFO SRT
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) USBP HQ

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SDC/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents (b)(7)(E) BPA UoF)
- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) AMO (b)(7)(E) Permanent / (b)(7)(E)

07/26/2020 at 2114 hours PDT (0014 EDT): Approximately 1,300 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP)).

07/26/20 at 2213 hours PDT (0113 EDT): Approximately 400-500 protesters.

07/26/2020 at 2245 hours PDT (0145 EDT): AMO aircraft is on target providing aerial situational awareness (b)(7)(E)

07/27/2020 at 0000 hours PDT (0300 EDT): Violent opportunists are utilizing power tools in an attempt to breach the fence.

07/27/2020 at 0003 hours PDT (0303 EDT): FPS gave multiple dispersal orders to the crowd via loud speaker system.

07/27/2020 at 0009 hours PDT (0309 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

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07/27/2020 at 0016 hours PDT (0316 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0025 hours PDT (0325 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the violent crowd and remove them from Federal property. Agents were assaulted with glass bottles and commercial grade fireworks.

07/27/2020 at 0026 hours PDT (0326 EDT): CBP and Federal partner teams returned back inside the building.

07/27/2020 at 0026 hours PDT (0326 EDT): There are approximately 200-250 protesters on scene.

07/27/2020 at 0047 hours PDT (0347 EDT): The AMO helicopter was assaulted when a violent opportunist pointed a laser at it.

07/27/2020 at 0102 hours PDT (0402 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents were assaulted with glass jars filled with an unknown liquid, hard objects, commercial grade fireworks, and frozen water bottles. The teams only stayed out momentarily in an attempt to disperse the crowd.

07/27/2020 at 0105 hours PDT (0405 EDT): A violent opportunist was observed throwing a large "Molotov Cocktail" over the perimeter fence at the Hatfield Courthouse.

07/27/2020 at 0115 hours PDT (0415 EDT): CBP and Federal partner teams deployed from the front of the Hatfield Courthouse in an effort to disperse the violent opportunists who are destroying federal property by breaching the fence and are attempting to make entry into the courthouse. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd.

07/27/2020 at 0225 hours PDT (0525 EDT): CBP and Federal partner teams returned to Federal buildings.

07/27/2020 at 0229 hours PDT (0529 EDT): CBP detained a subject for operating a sUAS during a Temporary Flight Restriction. The subject's sUAS was seized and he will be charged with 49 CFR 46307 Violation of National Defense Airspace. Subject was turned over to HSI on scene.

07/27/2020 at 0300 hours PDT (0600 EDT): AMO air asset returned to base.

07/27/2020 at 0335 hours PDT (0635 EDT):

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- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau participated in the dispersion of the crowd.
- 10 Total Arrests
  - 1 CBP
  - 1 CBP Assist / Detention / Seizure (sUAS)
  - Assaults:
    - Commercial grade fireworks.
    - Hard objects.
  - Injuries:
    - No serious injuries reported at this time.
  - Arrests: CBP accounted for 1 of the 9 arrests.
    - 1 - 41 CFR 102-74.385 Failure to Comply
    - 8 - 18 USC 111 Assault on a Federal Officer (1 CBP)
  - Items recovered during dispersion:
    - Bottles of urine
    - Spike strips
    - Pump sprayers with unknown liquid
    - Commercial grade fireworks
    - Gas cans

No change to Path Forward.

All CBP Personnel have been released.

End of Report

**PATH FORWARD: July -27 to 28**

- YUM/SOD will be the primary CBP operational team until being relieved on 8/3/20.
- OFO SRT will continue to augment federal forces in Portland.
- FPS will repair and re-install fencing around the Hatfield Courthouse.
- FPS is providing (b)(7)(E)

(b)(7)(E)

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**(b)(7)(E)**

**CBP Portland Team Sit Rep 7/27/20 to 7/28/20:**

At 1700 PST, July 27, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) OFO SRT
- (b)(7)(E) YUM Admin
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) EPT BTC
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT

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- (b)(7)(E) TCA MRT arrived.

AMO plans to have (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/27/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) BLW SOD
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ
- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) CBP OTD
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT

07/27/2020 at 2109 hours PST: Approximately 300-400 protesters are gathered in the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza (TSP).

07/27/2020 at 2138 hours PST: FPS arrested one subject at the Hatfield Courthouse who jumped the fence onto Federal property.

07/27/2020 at 2149 hours PST: Multiple dispersal announcements made via a loud speaker system at the Hatfield Courthouse by FPS.

07/27/2020 at 2220 hours PST: The AMO air asset is on target providing aerial situational awareness (b)(7)(E).

07/27/2020 at 2220 hours PST: Violent opportunists are starting fires inside of the perimeter fence and shooting commercial grade fireworks at the Hatfield Courthouse.

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07/27/2020 at 2324 hours PST: Multiple dispersal announcements were made via a loud speaker system at the Hatfield Courthouse by FPS. Approximately eighteen (18) separate dispersal announcements have been made.

07/27/2020 at 2330 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. The teams utilized a fire hose to extinguish the fire. While the team was operating the hose, commercial grade fireworks were shot at the them. The hose was used to extinguish the aerial commercial grade fireworks that were being shot at the agents while still in the air. Less lethal munitions/ (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/27/2020 at 2350 hours PST: The crowd size is estimated at approximately 200.

07/28/2020 at 0012 hours PST: A violent opportunist jumped the perimeter fence at the Hatfield Courthouse and started a fire inside the perimeter fence.

07/28/2020 at 0021 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0032 hours PST: CBP and Federal partner teams deployed from the front of the Hatfield Courthouse to extinguish a fire inside the perimeter fence. Less lethal munitions (b)(7)(E) were utilized to disperse the crowd. Two agents/officers were assaulted with hard objects, eggs and commercial grade fireworks.

07/28/2020 at 0042 hours PST: Unlawful assembly message broadcasted via loud speaker by FPS.

07/28/2020 at 0044 hours PST: CBP and Federal partner teams deployed out of the Federal buildings in an effort to disperse the crowd. Less lethal munitions / (b)(7)(E) were utilized.

07/28/2020 at 0122 hours PST: CBP and Federal partner teams returned back to Federal buildings.

07/28/2020 at 0142 hours PST: A violent opportunist threw a “Molotov Cocktail” inside the perimeter fence in front of Hatfield Courthouse.

07/28/2020 at 0226 hours PST: FPS gave the stand down order. AMO air asset returned to base.

07/28/2020 at 0226 hours PST:

- Portland Police Bureau did not participate.
- 2 Total Arrest / 1 CBP.

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- Assaults:
  - Commercial grade fireworks.
  - Hard objects.
  - Eggs.
  - Glass bottles.
- Injuries:
  - No serious injuries reported at this time.
- Arrests: CBP accounted for 1 arrest.
  - 1 - 18 USC 111 Assault on a Federal Officer (1 CBP)
- Items recovered during dispersion:
  - Leaf blower

All CBP personnel have been released.

**CBP Portland Team Sit Rep 7/28/20 to 7/29/20:**

At 1700 PST, July 28, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel in Portland AOR:

- (b)(7)(E) SOG Command Staff
- (b)(7)(E) SDC MRT

AMO plans to have: (b)(7)(E) coverage throughout the night from 2200-0300 tonight (b)(7)(E)

**CBP MANPOWER 7/28/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) YUM/SOD (b)(7)(E) BORTAC (b)(7)(E) BORSTAR, (b)(7)(E) Agents, (b)(7)(E)
- (b)(7)(E) SOG (Command and Control)
- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST SOG
- (b)(7)(E) SOG Support Personnel
- (b)(7)(E) EPT BTC
- (b)(7)(E) SOG (b)(7)(E)
- (b)(7)(E) USBP HQ

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- (b)(7)(E) CBP OPA
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP OPR
- (b)(7)(E) EPT CIT
- (b)(7)(E) ELC CIT
- (b)(7)(E) AMO
- (b)(7)(E) TCA MRT
- (b)(7)(E) SOG Command
- (b)(7)(E) SDC MRT

07/28/2020 at 2017 hours PST: A sUSA was spotted flying over Adler and 5<sup>th</sup>.

07/28/2020 at 2044 hours PST: A sUAS spotted flying over SW Madison

07/28/2020 at 2115 hours PST: FPS uses firehose to wash down entrance area of the Hatfield Courthouse and soak the trash piled up around the fence to keep it from being lit on fire:

07/28/2020 at 2220 hours PST: A sUAS operator was identified in the City Center Parking lot

07/28/2020 at 2122 hours PST: The crowd size estimated at 500

07/28/2020 at 2142 hours PST: A subject with a pistol was observed chasing media personnel. The Portland Police Bureau (PPB) was notified

07/28/2020 at 2144 hours PST: A violent opportunist with bolt cutters was attempting to breach the fence. Commands and warnings were given a via loud speaker system for him to stop damaging federal property

07/28/2020 at 2155 hours PST: CBP agents/officers at the observation post identified a subject assaulting agents/officers with a green laser.

07/28/2020 at 2200 hours PST: Announcements and warnings given by FPS via a loud speaker system and repeated every 30 minutes

07/28/2020 at 2204 hours PST: "Wall of Moms" are positioned on the north and south side of the protesters. The protesters are located in center of the building/fenced in area

07/28/2020 at 2220 hours PST: Lacrosse sticks were handed out to the crowd by other protesters

07/28/2020 at 2235 hours PST: CPB agents/officers at the observation post are being assaulted with green lasers

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support  
Federal, State, And Local Requests For Assistance**

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07/28/2020 at 2230 hours PST: Violent opportunists started a fire inside the fenced area at the Northwest corner of the Hatfield Courthouse

07/28/2020 at 2255 hours PST: A male subject, was observed seen in the park next to the Hatfield Courthouse with a pistol. The Portland Police Bureau was made aware.

07/28/2020 at 2311 hours PST: Violent Opportunists are launching commercial grade fireworks at the CBP observation posts

07/28/2020 at 2320 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers. Several locations and protesters associated with these assaults have been identified

07/28/2020 at 2330 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/28/2020 at 2355 hours PST: Violent opportunists started a large fire at the former location of an Elk Statue, between 3<sup>rd</sup> and 4<sup>th</sup> on Main St.

07/29/2020 at 0000 hours PST: Violent opportunists launched multiple commercial grade fireworks launched at the Hatfield Courthouse

07/29/2020 at 0002 hours PST : The crowd size is estimated at approximately 300

07/29/2020 at 0005 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0008 hours PST: A violent opportunist climbed over the fence and is walking around the front of the building.

07/29/2020 at 0012 hours PST: Commercial grade fireworks were detonated within the crowd outside the perimeter fence.

07/29/2020 at 0013 hours PST: A second violent opportunist is inside the perimeter and other violent opportunists are attempting to pull the fencing down.

07/29/2020 at 0015 hours PST: FPS Agents deploy from the Hatfield Courthouse to disperse the crowd and remove them from Federal property. Agents used less lethal munitions and no arrests were made.

07/29/2020 at 0031 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0041 hours PST: The crowd size is estimated at approximately 250

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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07/29/2020 at 0044 hours PST: A violent opportunist threw what looked like a firework from inside the fenced in area at the main entrance of the Hatfield Courthouse

07/29/2020 at 0048 hours PST: There is a small fire inside the fenced area at close to the Hatfield Courthouse

07/29/2020 at 0050 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0120 hours PST: Violent opportunists have detonated multiple commercial grade fireworks the perimeter fence near the front door of the Hatfield Courthouse

07/29/2020 at 0122 hours PST: Violent Opportunists are seen grinding and destroying the fencing on the Northwest corner of the of the perimeter

07/29/2020 at 0125 hours PST: Agents/officers deploy less lethal munitions and (b)(7)(E) to disperse the crowd and remove them from Federal property

07/29/2020 at 0127-0132 hours PST: Violent Opportunists continue to launch commercial grade fireworks at the agents/officers. There are several small fires within the perimeter as a results of the fireworks being launched.

07/29/2020 at 0134 hours PST: FPS gives announcements/warnings via a loud speaker for the crowd to disperse

07/29/2020 at 0140 hours PST: CBP and Federal partner teams deployed from the Hatfield Courthouse to extinguish fires within the perimeter. Less lethal munitions and (b)(7)(E) were utilized to disperse the crowd an remove them from Federal property

07/29/2020 at 0148 hours PST: CBP and Federal partner teams returned to the Hatfield Courthouse, commercial grade fireworks and glass bottles were recovered from within the perimeter

07/29/2020 at 0155 hours PST: CBP agents/officers at the observation posts continue to be assaulted with lasers

07/29/2020 at 0156 hours PST: The crowd size is estimated at approximately 70

07/29/2020 at 0205 hours PST: Violent opportunist was painting graffiti in the compound on the wall of the Hatfield Courthouse. This is the same subject witnessed earlier throwing commercial grade fireworks at the front door of the Hatfield Courthouse.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
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07/29/2020 at 0215 hours PST: CBP and Federal partner teams deploying from Edith Green building and from the Hatfield Courthouse along 3<sup>rd</sup> street. CBP and Federal partner teams being assaulted with rocks and other hard objects, less lethal munitions and (b)(7)(E) deployed.

07/29/2020 at 0256 hours PST: CBP and Federal partner teams deployed into the courtyard of the Hatfield Courthouse compound have returned after deploying less lethal munitions and (b)(7)(E)

07/29/2020 at 0300 hours PST: CBP and Federal partner teams returned to Hatfield Courthouse and Edith Green Federal Building.

07/29/2020 at 0328 hours PST: The violent opportunist that previously entered the federal property of Hatfield Courthouse at 0044 hours and 0205 hours entered the compound again and was arrested.

07/29/2020 at 0344 hours PST: A violent opportunist was arrested for destruction of federal property and aiding and abetting.

Arrest:

- o 3 total arrests. CBP accounted for 1 arrests. Pending charges below.
  - § 1 - 41 CFR 102-74.385 Failure to Comply and Aiding and Abetting

Portland Police Bureau did not participate.

All CBP Personnel have been released.

**CBP Portland Team Sit Rep 7/29/20 to 7/30/20:**

At 1700 PST, July 29, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only occur in response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property and personnel.

Newly arrived personnel:

- (b)(7)(E) SOG BTC
- (b)(7)(E) EPT SOD
- (b)(7)(E) DRT SOD
- (b)(7)(E) SDC MRT
- (b)(7)(E) AMO

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs



**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

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AMO plans to have [redacted] coverage throughout the night from 2200-0300 tonight. [redacted]

**CBP MANPOWER 7/29/20:** [redacted] **CBP Personnel**

- [redacted] USBP
- [redacted] OFO SRT
- [redacted] CBP
- [redacted] AMO

07/29/2020 at 2058 hours PST: GTAC estimated approximate crowd size of 200 protesters scattered throughout Lowndale Square Park

07/29/2020 at 2123 hours PST: Observation Post estimated crowd size of 187 in front of the Justice Center. Observation post reporting the intersection of 3<sup>rd</sup> Street and Salmon Street blocked by one vehicle and several bicycles.

07/29/2020 at 2243 hours PST: Crowd has now moved from the Justice Center to the Hatfield Federal Courthouse.

07/29/2020 at 2247 hours PST: AMO advises remaining flight time is approximately [redacted] [redacted]

07/29/2020 at 2248 hours PST: Observation post states protesters are now assaulting agents with lasers.

- Announcement given by FPS via loud speaker for the crowd to disperse.
- A violent opportunist has a hacksaw in possession, currently attempting to breach/damage the fence in front of the Hatfield Courthouse.

07/29/2020 at 2321 hours PST: Violent opportunist are attempting to breach/ damage the fence at Hatfield Courthouse.

07/29/2020 at 2325 hours PST: Announcements given by FPS via loud speaker for the crowd to disperse. Agents deploy less lethal/[redacted] munitions to disperse the crowd.

07/29/2020 at 2338 hours PST: FPS announced via loud speaker that the area in front of the Hatfield Courthouse was an unlawful assembly. Agents deployed less lethal/[redacted] munitions to disperse the crowd.

07/29/2020 at 2345 hours PST: GTAC advises one subject standing on top of the fence attempting to breach/damage.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs

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07/29/2020 at 2358 hours PST: Agents conducted a push to remove violent protesters from the front of the Hatfield Courthouse.

07/30/2020 at 0023 hours PST: FPS placed a violent opportunist under arrest for assault on a Federal Agent, 18 U.S.C. 111

07/30/20 at 0048 hours PST: Federal Police states window broken by an unknown violent opportunist.

07/30/20 at 0100 hours PST: All Federal units returned to the Hatfield and Edith Green Federal facilities.

07/30/20 at 0150 hours PST: Agents confirm a total of four (4) arrests of violent opportunist for violation of 18 U.S.C. 111, arrests conducted by the following agencies.

- 1 OFO
- 1 FPS
- 2 U.S. Marshals

**Final Update:**

07/30/2020 at 0230 hours PST: AMO air asset advised returning to base.

07/30/2020 at 0232 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- Portland Police Bureau did not participate.
- 4 Total Arrest
- Change to Path Forward. USBP will be on standby at a location to be determined, in a QRF posture.

**CBP Portland Team Sit Rep 7/30/2020 to 7/31/2020:**

At 1700 PST, July 30, 2020, USBP SOG, SOD, MRT and BLW, OFO SRT, SOG US Marshals, ERO SRT, Oregon State Police and FPS Team leaders attended a briefing at the Edith Green Federal Building. Law Enforcement personnel will be deployed at the (b)(7)(E) and (b)(7)(E) (b)(7)(E). The posture will be reactive only by teams. The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by Oregon State Police (OSP) as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS and OSP operations providing security and safety to Federal property/personnel.

**Newly arrived personnel in Portland AOR:**

- (b)(7)(E) EPT/SIU
- (b)(7)(E) SOG Command

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
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AMO has no scheduled flights tonight but will assist upon request by OSP and Federal Agents. (b)(7)(E)  
 (b)(7)(E)

**CBP MANPOWER 7/30/20:** (b)(7)(E) **CBP Personnel**

- (b)(7)(E) USBP
- (b)(7)(E) OFO SRT
- (b)(7)(E) CBP
- (b)(7)(E) AMO

07/30/2020 at 2021 hours PST: Oregon State Police (OSP) has designated (b)(7)(E) officers to the Hatfield Courthouse protests. OSP is primarily responsible for any incidents or disturbances that happen within or around the Hatfield Courthouse. OSP unit estimated approximate crowd size of 30 protesters throughout Lowsdale Square Park.

CBP Personnel is staged in a QRF posture at two nearby locations (b)(7)(E) Agents at the (b)(7)(E) (b)(7)(E) approximately (b)(7)(E) with an (b)(7)(E) response time. (b)(7)(E) CBP Personnel at the (b)(7)(E) approximately (b)(7)(E) with a (b)(7)(E) response.

07/30/2020 at 2105 hours PST: OSP estimated crowd size 30 protesters in front of the Hatfield Courthouse and 250 protesters in front of the Justice Center.

07/30/2020 at 2116 hours PST: OSP estimates 200 protesters moving north on 2<sup>nd</sup> Street.

07/30/2020 at 2137 hours PST: OSP estimates 450-500 protesters in front of the Hatfield Courthouse and Justice Center.

07/31/2020 at 0009 hours PST: Crowd sustained at approximately 400 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0105 hours PST: Crowd sustained at approximately 150 protesters and remaining mostly peaceful at the moment.

07/31/2020 at 0135 hours PST: Crowd reduced to approximately 30 protesters and remaining peaceful.

07/31/2020 at 0200 hours PST:

- FPS gave the stand down order
- No additional significant incidents/injuries to report at the Federal facilities.
- No arrest.
- No change to path forward. CBP will be on standby at a location to be determined, in a QRF posture.

Office: CBP SITROOM- Senior Watch Officer

Updated: July 30, 2020, 1000hrs

**U.S. Customs and Border Protection**  
**4<sup>th</sup> of July Weekend 2020, Law Enforcement Support**

**CBP Is Standing By And Ready To Support**  
**Federal, State, And Local Requests For Assistance**

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Final Update.

Office: CBP SITROOM- Senior Watch Officer  
Updated: July 30, 2020, 1000hrs

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 8/13/2020 9:05:30 PM  
**To:** PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C); LANDRUM, RYAN P  
(b)(6), (b)(7)(C)  
**CC:** LEOD-OPS-CELL; (b)(7)(E)  
(b)(6), (b)(7)(C), (b)(7)(E)  
**Subject:** BUN/NIB Support NTPD - August 13, 2020  
**Attachments:** NIB - NTPD Assist EXEC SUM (13 AUG 2020).pptx

Chief:

Please see attached Support Request and the summary below. Recommend Approval.

Thank you,

**BUN/NIB Support to North Tonawanda PD – August 13, 2020**

**BLUF:** On August 13, 2020 at 1700 hours and at the request of North Tonawanda PD, BUN/NIB will support local law enforcement partners with additional manpower and capabilities to protect the life and safety of first responders and the general public. This is in response to social media posts indicating a demonstration is being organized. Previous protests have resulted in rioting and violence to law enforcement. Agents will (b)(7)(E) only engage if called upon by local officials.

- (b)(7)(E) NIB SBP assigned to Command Center
- (b)(7)(E) NIB SBPA assigned to assist with coordination efforts in the event additional resources are required
- (b)(7)(E) NIB BPAs to assist with crowd control (b)(7)(E)
- (b)(7)(E) patrol vehicle.

(b)(6), (b)(7)(C)  
Assistant Chief – LEOD OPs Cell  
US Border Patrol Headquarters  
Office: (b)(6), (b)(7)(C)  
Cell: (b)(6), (b)(7)(C)

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Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 6/14/2020 3:55:16 PM  
**To:** PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); SCUDDER, KATHLEEN  
**(b)(6), (b)(7)(C)**  
(b)(6), (b)(7)(C) LANDRUM, RYAN P  
**(b)(6), (b)(7)(C)**  
**Subject:** RE: DHS Support to Civil Disturbances - OPS-NOC RFI (b)(7)(E) - USBP - June 14, 2020  
**Attachments:** 2020\_05\_30\_BUN\_BUS\_Agent Assault.pub; (b)(6), (b)(7)(C) Packet.pdf; CUSR\_Outcomes\_Timelines (b)(6), (b)(7)(C) docx.docx

Chief,

The only LL deployment that we have been notified of was in downtown Buffalo on May 30<sup>th</sup>. One had thrown munitions (b)(7)(E) was deployed after a BPA was struck in the face by a rock/object. The team has been getting all the AARs gathered up from Sectors. We send in a daily synopsis for all Support Requests with a running total of 71 thus far. It's 65 pages long right now.

**From:** PORVAZNIK, ANTHONY J; (b)(6), (b)(7)(C)  
**Sent:** Sunday, June 14, 2020 11:49 AM  
**To:** (b)(6), (b)(7)(C); SCUDDER, KATHLEEN  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) LANDRUM, RYAN P; (b)(6), (b)(7)(C)  
**Subject:** RE: DHS Support to Civil Disturbances - OPS-NOC RFI (b)(7)(E) - USBP - June 14, 2020

10-4 (b)(6), (b)(7)(C) also need to know if/when USBP personnel deployed LL munitions in any of these events. I was told that BP deployed (b)(7)(E) in Portland, but I'm not sure when that happened or of other locations where LL was deployed.

Anthony J. Porvaznik  
(A) Chief  
USBP/HQ/LEOD  
(b)(6), (b)(7)(C) (desk)  
(b)(6), (b)(7)(C) (cell)

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Sunday, June 14, 2020 11:41 AM  
**To:** SCUDDER, KATHLEEN; (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

LANDRUM, RYAN P

(b)(6), (b)(7)(C)

Cc: PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

Subject: FW: DHS Support to Civil Disturbances - OPS-NOC RFI (b)(7)(E) - USBP - June 14, 2020

All,

I'll make sure that everyone in LEOD is on this daily distro. I received this tasker from the NOC last night with a daily 0300 synopsis until further notice.

From: (b)(6), (b)(7)(C)

Sent: Sunday, June 14, 2020 2:30 AM

To: NOC.SWO.Restricted (b)(6)

Cc: LEOD-OPS-CELL (b)(7)(E)

Subject: DHS Support to Civil Disturbances - OPS-NOC RFI (b)(7)(E) - USBP - June 14, 2020

**DHS Support to Civil Disturbances - OPS-NOC RFI (b)(7)(E) - USBP - June 14, 2020**

- How many personnel and equipment resources are still committed to the effort (Civil Disturbances)?

As of June 13, 2020:

- (b)(7)(E) USBP agents are committed to Civil Unrest Support Request
- (b)(7)(E) facility is being utilized for arrestee detention/holding overflow
- Approximately (b)(7)(E) government owned vehicles (b)(7)(E) are committed to Civil Unrest Support Requests

- Where are these assets deployed and what are their missions?

USBP personnel are responding to support requests from Federal, State, and Local Law Enforcement partners to provide backup forces that are used in secondary roles and emergency response capacities to other Federal, State, and Local Law Enforcement as precautionary planning to ensure the safety of those exercising their Constitutional right to peacefully protest.

- Toledo, Ohio
- Cleveland, Ohio
- Spokane, Washington
- Tacoma, Washington
- Seattle, Washington
- Bellingham, Washington
- Portland, Oregon
- Riviera Beach, Florida
- Detroit, Michigan
- Grand Rapids, Michigan
- Buffalo, New York
- Houlton, Maine

- What have been the actions of the protesters toward DHS and local law enforcement personnel?

USBP personnel have reported destruction of temporary perimeter fencing in some locations, random items thrown at USBP personnel, consistent verbal threats, abusive language, and offensive gestures.

- What are the injuries to DHS personnel?

Only one injury has been reported.

- USBP agent was struck in the face by a rock / object on May, 30, 2020 in downtown Buffalo, New York. (b)(6)

- What damages have there been to Federally owned or leased property?

No reports of damage GOV property have been received by USBP HQ

(b)(6), (b)(7)(C)

Assistant Chief -- LEOD OPs Cell  
US Border Patrol Headquarters

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

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Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 8/23/2020 8:14:25 AM  
**To:** SRTHQ; (b)(7)(E)  
**CC:** (b)(7)(E)  
**Subject:** Operation Diligent Valor Sitrep 08/22 - 08/23 Final Update  
**Attachments:** Aug 23 Diligent Valor Daily Bullets.docx

HQ,

Location: Portland, OR

Shift: 1600-2400

Number of operators: (b)(7)(E)

1. SRT Operation Leadership attended Commander's brief.
2. Portland PD (PPD) and FPS continued as the primary law enforcement response for the Edith Green Building and the Hatfield Courthouse AO.
3. Federal agents/officers maintained a QRF posture at the (b)(7)(E)
4. Border Patrol and OFO were on standby for a riot the Terry Schrunk Plaza. No CBP assets were deployed.

Incidents

1. NSTR

Next 24

1. SRT operators will maintain a QRF posture staged at the (b)(7)(E)

Integrated CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020 below.

(b)(6), (b)(7)(C)  
Customs and Border Protection  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

**From:** (b)(6), (b)(7)(C)  
**Sent:** Saturday, August 22, 2020 11:00 PM  
**To:** SITROOM; (b)(6), (b)(7)(C), (b)(7)(E); BARKER, TONY L  
(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

Cc: PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

LANDRUM, RYAN P

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

HEITKE, AARON

M

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

BARKER, TONY L

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(OCC)

**(b)(6), (b)(7)(C)**

(OPR)

(b)(6), (b)(7)(C)

(OPR)

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(OPR)

(b)(6), (b)(7)(C)

(OPR)

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

**Subject:** CBP Support to FPS in Portland, OR/Seattle, WA: 08/22 - 08/23 Final Update

Final Update:

08/22/20 at 2300 hours PST:

- No one gathered in the downtown area after the initial update.
- No one gathered at the ICE Facility.
- CBP Personnel did not deploy at any time.
- FPS gave the stand down order.
- All QRF Personnel ordered stand down.
- No significant incidents/injuries to report at the Federal facilities.
- No arrests.
- No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020:**

At 1200 PST, August 22, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress

points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

On today's date, "Mother of All Back the Blue Rallies" and "Americans against Marxism" scheduled and are conducting rallies at the Justice Center and Terry Schrunk Plaza (TSP). Counter protesters "ANTIFA" and "BLM" are also at the Justice Center and TSP. These opposing groups are physically engaging each other.

**CBP MANPOWER 08/22/20: (b)(7)(E) CBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SOG BST
- (b)(7)(E) SOG IU
- (b)(7)(E) OFO SRT
- (b)(7)(E) OPR
- (b)(7)(E) EPT MRT
- (b)(7)(E) SDC MRT
- (b)(7)(E) DTM BTC
- (b)(7)(E) DTM BST
- (b)(7)(E) ELC BTC
- (b)(7)(E) ELC BST
- (b)(7)(E) ELC IU/ADMIN

08/22/20 at 1130 hours PST: FPS officers staged at the (b)(7)(E). CBP personnel held a QRF posture at (b)(7)(E) (b)(7)(E).

08/22/20 at 1320 hours PST: Protesters (Back the Blue)/counter protesters (Black Lives Matter) physically engaging each other/physical fighting on Third and Madison in front of the Portland Justice Center.

08/22/20 at 1426 hours PST: Portland Police Bureau (PPB) reported to the EOC a gunshot in vicinity of the downtown area. (b)(7)(E) No FPS or CBP personnel heard the shot. No injuries reported. Rocks were being thrown during this time.

08/22/20 at 1435 hours PST: Protesters/counter protesters begin to move toward the TSP.

08/22/20 at 1445 hours PST: FPS coordinated with PPB and multiple unlawful assembly announcements were given at the TSP.

08/22/20 at 1453 hours PST: Hard objects were thrown at the FPS officers staged at the (b)(7)(E).

08/22/20 at 1455 hours PST: FPS began to clear the (b)(7)(E). CBP personnel did not deploy and maintained a QRF posture at (b)(7)(E).

08/22/20 at 1515 hours PST: FPS officers have returned to the Edith Green building.

(b)(6), (b)(7)(C)

Supervisory Border Patrol Agent  
Special Operations Group BORTAC

(b)(6), (b)(7)(C)



Location: Portland, OR

Shift: 1600-2400

Number of operators: (b)(7)(E)

1. SRT Operation Leadership attended Commander's brief.
2. Portland PD (PPD) and FPS continued as the primary law enforcement response for the Edith Green Building and the Hatfield Courthouse AO.
3. Federal agents/officers maintained a QRF posture at the (b)(7)(E)
4. Border Patrol and OFO were on standby for a riot the Terry Schruck Plaza. No CBP assets were deployed.

#### Incidents

1. NSTR

#### Next 24

1. SRT operators will maintain a QRF posture staged at the (b)(7)(E)

Integrated CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020 below.

Message

**From:** (b)(6), (b)(7)(C)  
**Sent:** 8/23/2020 11:46:31 AM  
**To:** (b)(6), (b)(7)(C), (b)(7)(E) SRTHQ  
**CC:** (b)(6), (b)(7)(C)  
**Subject:** RE: Operation Diligent Valor Sitrep 08/22 - 08/23 Final Update

Thanks (b)(6), (b)(7)(C)

Thanks,

(b)(6), (b)(7)(C) M.S., CSCS

Special Operations Division

Liaison to NTC

Cell: (b)(6), (b)(7)(C) Desk: (b)(6), (b)(7)(C)

HSDN: (b)(6), (b)(7)(C)

CLAN: (b)(6), (b)(7)(C)



**CONFIDENTIALITY NOTICE:** This email and any attachments are UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this email should be furnished to the media, either in written or verbal form. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone

----- Original message -----

**From:** (b)(6), (b)(7)(C)  
**Date:** 8/23/20 04:14 (GMT-05:00)  
**To:** SRTHQ (b)(7)(E)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Operation Diligent Valor Sitrep 08/22 - 08/23 Final Update

HQ,

Location: Portland, OR

Shift: 1600-2400

Number of operators: (b)(7)(E)

1. SRT Operation Leadership attended Commander's brief.

2. Portland PD (PPD) and FPS continued as the primary law enforcement response for the Edith Green Building and the Hatfield Courthouse AO.
3. Federal agents/officers maintained a QRF posture at the (b)(7)(E)
4. Border Patrol and OFO were on standby for a riot the Terry Schruck Plaza. No CBP assets were deployed.

Incidents

1. NSTR

Next 24

1. SRT operators will maintain a QRF posture staged at the (b)(7)(E)

Integrated CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020 below.

(b)(6), (b)(7)(C)

Customs and Border Protection

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Saturday, August 22, 2020 11:00 PM

To: SITROOM; (b)(6), (b)(7)(C), (b)(7)(E)

BARKER, TONY L

**(b)(6), (b)(7)(C)**



**(b)(6), (b)(7)(C)**

Cc: PORVAZNIK, ANTHONY J

(b)(6), (b)(7)(C)

LANDRUM, RYAN P

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

HEITKE, AARON

M

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(CAG)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

BARKER, TONY L

(b)(6), (b)(7)(C)

**(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

(OCC)

(b)(6), (b)(7)(C)

(OPR)

(b)(6), (b)(7)(C)

(OPR)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(OPR)

(b)(6), (b)(7)(C)

(OPR)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

**Subject:** CBP Support to FPS in Portland, OR/Seattle, WA: 08/22 - 08/23 Final Update

Final Update:

08/22/20 at 2300 hours PST:

1. No one gathered in the downtown area after the initial update.
2. No one gathered at the ICE Facility.
3. CBP Personnel did not deploy at any time.
4. FPS gave the stand down order.
5. All QRF Personnel ordered stand down.
6. No significant incidents/injuries to report at the Federal facilities.
7. No arrests.
8. No change to path forward. CBP will maintain QRF posture.

**CBP Portland Team Sit Rep 08/22/2020 to 08/23/2020:**

At 1200 PST, August 22, 2020, USBP SOG, SOD, MRT, OFO SRT, SOG US Marshals, ERO SRT and Federal Protective Service (FPS) Team leaders attended a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. CBP agents/officers will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel.

On today's date, "Mother of All Back the Blue Rallies" and "Americans against Marxism" scheduled and are conducting rallies at the Justice Center and Terry Schunk Plaza (TSP). Counter protesters "ANTIFA" and "BLM" are also at the Justice Center and TSP. These opposing groups are physically engaging each other.

**CBP MANPOWER 08/22/20: (b)(7)(E) CBP Personnel**

1. (b)(7)(E) SOG BTC
2. (b)(7)(E) SOG BST
3. (b)(7)(E) SOG IU
4. (b)(7)(E) OFO SRT
5. (b)(7)(E) OPR
6. (b)(7)(E) EPT MRT
7. (b)(7)(E) SDC MRT
8. (b)(7)(E) DTM BTC
9. (b)(7)(E) DTM BST
10. (b)(7)(E) ELC BTC
11. (b)(7)(E) ELC BST
12. (b)(7)(E) ELC IU/ADMIN

08/22/20 at 1130 hours PST: FPS officers staged at the (b)(7)(E) CBP personnel held a QRF posture at (b)(7)(E) (b)(7)(E)

08/22/20 at 1320 hours PST: Protesters (Back the Blue)/counter protesters (Black Lives Matter) physically engaging each other/physical fighting on Third and Madison in front of the Portland Justice Center.

08/22/20 at 1426 hours PST: Portland Police Bureau (PPB) reported to the EOC a gunshot in vicinity of the downtown area. (b)(7)(E) No FPS or CBP personnel heard the shot. No injuries reported. Rocks were being thrown during this time.

08/22/20 at 1435 hours PST: Protesters/counter protesters begin to move toward the TSP.

08/22/20 at 1445 hours PST: FPS coordinated with PPB and multiple unlawful assembly announcements were given at the TSP.

08/22/20 at 1453 hours PST: Hard objects were thrown at the FPS officers staged at the (b)(7)(E).

08/22/20 at 1455 hours PST: FPS began to clear the (b)(7)(E) CBP personnel did not deploy and maintained a QRF posture at (b)(7)(E)

08/22/20 at 1515 hours PST: FPS officers have returned to the Edith Green building.

(b)(6), (b)(7)(C)

Supervisory Border Patrol Agent  
Special Operations Group BORTAC

(b)(6), (b)(7)(C)

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/27/2020 6:32:37 AM

**To:** SOG EOC; (b)(7)(E); (b)(7)(E); SOG OPSCEN-S3; SITROOM

**CC:** (b)(7)(E); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (OPR); (OPR); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

**Subject:** RE: Consolidated ESR Portland, OR - Civil Disturbance Response - 09/26/2020 (Updates)

2330 PST:

- PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park
- FPS and USBP remained staged in the (b)(7)(E)
- No USBP deployed from the (b)(7)(E)

Updates to follow.

2234 PST:

- FPS exited the Edith Green Wendell Wyatt Federal Building and detained a civilian drone pilot for PPB
- The drone pilot will be handed over to PPB for questioning
- No USBP exited the building and remain staged at the (b)(7)(E)

Updates to follow.

2122 PST:

- Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center.
- PPB responds and tells protestors to stop throwing objects at police and to clear the streets.
- Arrests are being made by PPB.
- Unlawful assembly has been announced by PPB.
- USBP and FPS remain staged inside the (b)(7)(E). USBP and FPS have not left the building.

Updates to follow.

2050 PST:

- Approximately 150 protestors gathered at Lownsdale/Chapman Park Area
- Nothing else significant to report
- USBP and FPS still staged at the: (b)(7)(E) USBP has not left the building.

Updates to follow.

1740 PST:

- Unconfirmed intel that Antifa/BLM may move to Justice Center to protest at 1900 hours
- Proud Boys may counter protest at the Justice Center at 2000 hours
- USBP and FPS still staged at the: (b)(7)(E) USBP has not left the building.
- Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time
- There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza)

Updates to follow.

1523 PST:

- Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area
- Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area
- No USBP or FPS are deployed outside the downtown Federal Building area

Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor  
Special Operations Group  
Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), (b)(7)(E) (cell)

## Evolving Situation Report

# Operation Portland Civil Disturbance Response

Portland, Oregon

September 26, 2020

1320 PST:

- Delta Park Portland, Oregon approximately 700 Proud Boys members are staging
- Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging
- No USBP or FPS are deployed outside the downtown Federal Building area

Updates to follow.

## CBP Portland Team Sit Rep 09/26/2020 to 09/27/2020:

At 1100 PST, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

1300 PST;

Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the (b)(7)(E). There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

## CBP MANPOWER 09/26/20 (b)(7)(E) USBP Personnel

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

Updates to follow.

**(b)(6), (b)(7)(C)**

Special Operations Supervisor

Special Operations Group

**(b)(6), (b)(7)(C), (b)(7)(E)**

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/27/2020 7:13:47 AM

**To:** SOG EOC; (b)(7)(E)  
(b)(7)(E) SOG OPSCEN-S3  
(b)(7)(E) SITROOM

**CC:** (b)(6), (b)(7)(C)  
(OPR); (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (OPR)  
(b)(6), (b)(7)(C)

**Subject:** Consolidated ESR Portland, OR - Civil Disturbance Response - 09/26/2020 (FINAL)

0010 PST FINAL UPDATE:

- PPB and Oregon State Police cleared the city parks
- FPS gave the stand down order
- No arrests or deployments for USBP

NEXT 24 HOURS:

- USBP personnel will remain in QRF posture for FPS
- Teams will attend briefings at 1700 at the Edith Green Wendell Wyatt Federal Building

2330 PST:

- PPB and Oregon State Police are doing another push to clear out the Lownsdale and Chapman City Park
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- No USBP or FPS are deployed outside the downtown Federal Building area

Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor

Special Operations Group

Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

## **Evolving Situation Report**

### **Operation Portland Civil Disturbance Response**

**Portland, Oregon**

**September 26, 2020**

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- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

Updates to follow.

**(b)(6), (b)(7)(C)**

Special Operations Supervisor

Special Operations Group

Border Patrol Tactical Group (BORTAC)

**(b)(6), (b)(7)(C)**

**(b)(6), (b)(7)(C)** (cell)

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/26/2020 10:27:52 PM

**To:** SOG EOC; (b)(7)(E); (b)(7)(E); SOG OPSCEN-S3; SITROOM

**CC:** (b)(7)(E); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (OPR); (b)(6), (b)(7)(C)

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Updates to follow.

(b)(6), (b)(7)(C)  
Special Operations Supervisor  
Special Operations Group  
Border Patrol Tactical Group (BORTAC)  
(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) (cell)

**Evolving Situation Report**

**Operation Portland Civil Disturbance Response**

**Portland, Oregon**

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Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor  
 Special Operations Group  
 Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/27/2020 12:47:00 AM

**To:** SOG EOC; (b)(7)(E); (b)(7)(E); SOG OPSCEN-S3; SITROOM

**CC:** (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

**Subject:** RE: Consolidated ESR Portland, OR - Civil Disturbance Response - 09/26/2020 (Updates)

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(b)(6), (b)(7)(C)

Special Operations Supervisor  
Special Operations Group  
Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

## Evolving Situation Report

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Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor

Special Operations Group

Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)



Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/27/2020 3:52:27 AM

**To:** SOG EOC; (b)(7)(E); (b)(7)(E); SOG OPSCEN-S3; SITROOM

**CC:** (b)(7)(E); (b)(6), (b)(7)(C); (OPR); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C); (OPR); (b)(6), (b)(7)(C); (OPR); (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C)

Special Operations Supervisor

Special Operations Group

Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

## Evolving Situation Report

### Operation Portland Civil Disturbance Response

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Updates to follow.

#### **CBP Portland Team Sit Rep 09/26/2020 to 09/27/2020:**

At 1100 PST, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

No FPS or CBP personnel will be assigned to the (b)(7)(E) but will respond to emerging situations as deemed necessary.

1300 PST;

Protestors are beginning to arrive at multiple locations in Portland, OR. USBP teams and FPS are staged at the [REDACTED] (b)(7)(E) [REDACTED]. There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza). There is currently no one gathered at the ICE Facility.

**CBP MANPOWER 09/26/20: [REDACTED] (b)(7)(E) USBP Personnel**

- [REDACTED] SOG BTC
- [REDACTED] SDC SOD
- [REDACTED] (b)(7)(E) YUM SOD
- [REDACTED] BLW SOD

Updates to follow.

[REDACTED] (b)(6), (b)(7)(C)  
Special Operations Supervisor  
Special Operations Group  
Border Patrol Tactical Group (BORTAC)

[REDACTED] (b)(6), (b)(7)(C)  
[REDACTED] (b)(6), (b)(7)(C) (cell)

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/27/2020 4:25:44 AM

**To:** SOG EOC; (b)(7)(E); (b)(7)(E); SOG OPSCEN-S3; SITROOM

**CC:** (b)(6), (b)(7)(C); (b)(7)(E)

(OPR) (b)(6), (b)(7)(C); (b)(6), (b)(7)(C) (OPR); (b)(6), (b)(7)(C); (OPR) (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

**Subject:** Consolidated ESR Portland, OR - Civil Disturbance Response - 09/26/2020 (Updates)

2122 PST:

- Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center.
- PPB responds and tells protestors to stop throwing objects at police and to clear the streets.
- Arrests are being made by PPB.
- Unlawful assembly has been announced by PPB.
- USBP and FPS remain staged inside the (b)(7)(E). USBP and FPS have not left the building.

Updates to follow.

2050 PST:

- Approximately 150 protestors gathered at Lownsdale/Chapman Park Area
- Nothing else significant to report
- USBP and FPS still staged at the (b)(7)(E). USBP has not left the building.

Updates to follow.

1740 PST:

- Unconfirmed intel that Antifa/BLM may move to Justice Center to protest at 1900 hours

- Proud Boys may counter protest at the Justice Center at 2000 hours
- USBP and FPS still staged at the (b)(7)(E) USBP has not left the building.
- Carruthers Park is being monitored to see if gathering with the potential to move to the ICE Facility. No one gathered at this time
- There is currently no one gathered at the downtown area (Lownsdale Square, Chapman Square and Terry Schrunk Plaza)

Updates to follow.

1523 PST:

- Delta Park Portland, Oregon Proud Boys broke up and headed to a BBQ in the Vancouver, WA area
- Peninsula Park, Portland, Oregon approximately 700 Antifa/BLM members staged reported may be departing this park and will gather at a PPB location (unknown at this time) at a later time or Irving Park Portland, Oregon area
- No USBP or FPS are deployed outside the downtown Federal Building area

Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor

Special Operations Group

Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

## **Evolving Situation Report**

### **Operation Portland Civil Disturbance Response**

**Portland, Oregon**

**September 26, 2020**

1320 PST:

- Delta Park Portland, Oregon approximately 700 Proud Boys members are staging
- Peninsula Park, Portland, Oregon approximately 300 Antifa members are staging
- No USBP or FPS are deployed outside the downtown Federal Building area

Updates to follow.

**CBP Portland Team Sit Rep 09/26/2020 to 09/27/2020:**

At 1100 PST, September 26, 2020, USBP SOG, YUMA SOD, SAN DIEGO SOD, and BLAINE SOD with MRT met with US Marshals, HSI SRT and Federal Protective Service (FPS) Team leaders for a briefing at the Edith Green Federal Building. FPS will be deployed at the (b)(7)(E) and HSI SRT will be deployed at the (b)(7)(E). The courthouse will be sealed and all minor violations against the Federal property will not solicit a law enforcement response. Federal enforcement action from the Federal buildings will only take place as requested by FPS as a response to major felonies occurring, including attempts to breach the courthouse, setting fire to the structure, or attempts to barricade the egress points. USBP Agents will conduct quick reaction force (QRF) duties in support of FPS operations providing security and safety to Federal property/personnel as requested by FPS. Triggers for launching FPS with USBP to support local law enforcement and Oregon State Police as a QRF for today's events will be mass shootings, overwhelming Portland Police Bureau and/or Oregon State Police in violent counter protests, and casualties caused by protestors clashing.

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#### CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor  
Special Operations Group  
Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

Message

**From:** (b)(6), (b)(7)(C)

**Sent:** 9/27/2020 5:40:13 AM

**To:** SOG EOC; (b)(7)(E) (b)(7)(E) SOG OPSCEN-S3  
(b)(7)(E) SITROOM

**CC:** (b)(6), (b)(7)(C)

(OPR) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (OPR)

(b)(6), (b)(7)(C)

(OPR) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

**Subject:** Consolidated ESR Portland, OR - Civil Disturbance Response - 09/26/2020 (Updates)

2234 PST:

- FPS exited the Edith Green Wendell Wyatt Federal Building and detained a civilian drone pilot for PPB
- The drone pilot will be handed over to PPB for questioning
- No USBP exited the building and remain staged at the (b)(7)(E)

Updates to follow.

2122 PST:

- Fire lit by protestors at 3<sup>rd</sup> and Madison near the Justice Center.
- PPB responds and tells protestors to stop throwing objects at police and to clear the streets.
- Arrests are being made by PPB.
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- No USBP or FPS are deployed outside the downtown Federal Building area

Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor

Special Operations Group

Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)

## **Evolving Situation Report**

### **Operation Portland Civil Disturbance Response**

**Portland, Oregon**

**September 26, 2020**

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**CBP MANPOWER 09/26/20: (b)(7)(E) USBP Personnel**

- (b)(7)(E) SOG BTC
- (b)(7)(E) SDC SOD
- (b)(7)(E) YUM SOD
- (b)(7)(E) BLW SOD

Updates to follow.

(b)(6), (b)(7)(C)

Special Operations Supervisor  
 Special Operations Group  
 Border Patrol Tactical Group (BORTAC)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (cell)