

City of Eugene POLICE COMMISSION



The Police Commission recommends to the City Council, City Manager, police department, and the people, the resources, preferred policing alternatives, policies, and citizen responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the police department that helps to achieve safety, justice and freedom for all people in Eugene.

Police Commissioners: Juan Carlos Valle, Chair; Tamara Miller, Vice-Chair; Mike Clark; Bernadette Conover; Jim Garner; Linda Hamilton; Kaitlyn Lange; Jesse Lohrke; James Manning; Timothy Mueller; Andrea Ortiz; Bob Walker

Police Commission Meeting

June 14, 2011

5:30 pm, McNutt Room, Eugene City Hall, 777 Pearl Street

<u>Item</u>	<u>Starting Time</u>	<u>Minutes</u>
1. Agenda review	5:30	5
2. Minutes Approval – May 5 and May 10, 2012	5:35	5
3. Public Forum	5:40	10
4. Comments from Chair and Items from Commissioners	5:50	20
5. Committee Reports	6:10	60
- PSRC: Approval of Building related policies		
- Outreach: Approval of Survey & toolkit		
6. Break	7:10	10
7. Downtown Public Safety Zone	7:20	15
8. Chief's Report	7:35	20
9. Work Plan Development	7:55	45
10. Closing Comments	8:40	10

Next Police Commission Meeting: Thursday, July 12, 2012



Police Commission

Memorandum

City of Eugene
777 Pearl Street, Room 106
Eugene, Oregon 97401
(541) 682-5852

June 8, 2012

To: Members of the Police Commission
From: Carter Hawley, Police Commission Analyst
Subject: Material Review for June 14, 2012 Police Commission Meeting

Listed below are items on the upcoming Police Commission meeting.

Committee Reports

The Policy Screening and Review Committee will be forwarding the policies it reviewed by June 5 related to the new Police Headquarters for Commission approval. In order to be useful to the Department, any Commission feedback is needed by mid-June, in advance of the final preparations for the move.

The Outreach and Resources Committee will be forwarding a proposal to conduct an anonymous survey with Eugene Police Officers. This is to take the place of the work plan item of conducting listening sessions with EPD. The Outreach Committee will also be forwarding its "Outreach Toolkit", which documents the practices and principles used during the outreach related to the Monroe Street Station.

Downtown Public Safety Zone

One of the items on the work plan for next year is a proposal for the Commission to hold a forum, if an extension is sought. The Department will be seeking an extension to the ordinance, which is scheduled to sunset in November. At this meeting, the Commission can discuss if it wants to hold a forum, if it wants to hold it before or after the City Council work session (9/10/12) or public hearing (9/17/12), and when.

Work Plan

At its retreat in May, the Police Commission developed and prioritized a list of possible work items for fiscal year 2013 (FY13). Staff was asked to schedule that through the year. Attached is a draft of that schedule. The Commission can discuss the priorities and the schedule, as this will be used to develop the annual report to the City Council, scheduled to be presented to the Council July 23.

Supplemental Material

There are two documents included at the end of the packet that are not covered in the agenda. The first is a letter to community partners from the Mental Health Advisory/ Local Alcohol and Drug Planning Committee related to the Sobering Center services provided at Buckley Center. This is provided for your information, at the request of Commissioner Mueller. The second item is the text from a staff memo related to Animal Control Services. As the policy review and citizen input body for the Police Department, people will be directed to the Police Commission for opportunities to provide input related to Animal Control and sheltering. Chief Kerns can provide an update in his Chief's report.

MINUTES

Eugene Police Commission
McNutt Room—Eugene City Hall—777 Pearl Street
Eugene, Oregon

May 9, 2012
5:30 p.m.

PRESENT: Juan Carlos Valle, Chair; Tamara Miller, Vice Chair; Andrea Ortiz, Mike Clark, Bernadette Conover, Jim Garner, Linda Hamilton, Kaitlyn Lange, Jesse Lohrke, James Manning, Bob Walker, commissioners; Police Chief Pete Kerns; Carter Hawley, Lieutenant Scott Fellman, Linda Phelps, Eugene Police Department; Jon Belcher, Eugene Planning Commission.

ABSENT: Tim Mueller

Mr. Valle called the meeting of the Eugene Police Commission to order.

1. Agenda Review

Ms. Hawley reviewed the agenda and related materials.

2. Minutes Approval

Mr. Manning referred to paragraph 3 on page 3 of the April minutes and corrected the spelling of the name of guest Lane Doggett.

Ms. Ortiz, seconded by Mr. Manning, moved to approve the minutes of April 12, 2012, as amended. The motion passed, 10:0; Ms. Hamilton had not yet arrived at the meeting.

Ms. Hamilton arrived.

3. Public Forum

Deb Frisch questioned why no commissioner asked Chief Pete Kerns about any planned policy changes, new policies, outreach ideas, or solicited commission work plan items from him at the recent retreat. She suggested any commission discussion about community values would benefit from community input. Ms. Frisch noted a recent presentation made by District Attorney Alex Gardner and Lane County Sheriff Tom Turner to the Lane County Budget Committee and suggested they were guilty of misconduct because they threatened the committee with the elimination of programs the committee found essential in order to retain the medical examiner. They also exaggerated the consequences of the medical examiner's elimination. She suggested Chief Kerns was also guilty of misconduct when he used operating funds to augment the funding dedicated to the new police headquarters. Ms. Frisch called for follow-up in a case involving a Eugene Police Department (EPD) officer she asserted had tasered two lesbian mothers at the Park Blocks because they who did not want their child to accept a police sticker.

Anita Weld reported that she had recently become aware of the extent of human trafficking and offered her assistance in efforts to combat it.

4. Comments from Chair and Items from the Commission

Mr. Valle had heard about the Park Blocks incident and hoped the commission would hear more details and it could be an opportunity for community education. He emphasized the prevalence of human trafficking and hoped the commission could assist Ms. Weld in finding a way to fight it.

Ms. Miller thanked commissioners for the good attendance at the commission's recent retreat.

Mr. Clark encouraged Ms. Weld to provide her contact information to him or to Ms. Ortiz.

Ms. Lange shared information with Ms. Weld about an upcoming appearance by Jessica Richardson, a human trafficking survivor who would speak on the University of Oregon campus on May 12 in connection with Survivor Night. Her remarks would be followed by a candlelight vigil.

Ms. Ortiz noted the work of the Zona Society, which assisted survivors of human trafficking. She commended the recent retreat. Ms. Ortiz said she had asked Ms. Hawley to share some e-mails the council received regarding the concerns of the Associated Students of University of Oregon regarding the proposed social host ordinance.

Ms. Conover reported on the Civilian Review Board's (CRB) recent meeting, which included two case reviews. She had reported to the CRB about the commission's recent retreat and CRB members shared some concerns about the work of the commission, including that the commission should remember to review policies from a community values perspective rather than attempting to become the policy makers and to focus its reviews on policies of community interest. One CRB member suggested the commission should reduce the number of meetings it held commensurate with other City reductions.

Ms. Conover noted that the Police Unity Ride between New York and Washington, DC, was currently underway and included participants from Eugene.

Speaking to Ms. Frisch's comments, Mr. Walker reminded the commission that Article 2, Section 4 of the commission's bylaws precluded it from reviewing the actions of individual officers. He suggested the commission could determine if a policy issue was involved, so he thought the information would be useful. He recommended that those with concerns about individual officer actions take them to the Police Auditor, Civilian Review Board, or the department's Internal Affairs section.

Speaking to Ms. Conover's remarks, Ms. Miller noted that the commission and CRB had different and specific charges outlined by their charters and bylaws and she believed the commission was respectful of the line between the two charges.

5. Committee Reports

Policy Review and Screening Committee—Mr. Walker reported that the committee reviewed two policies, both related to the new headquarters building. One concerned the fitness policy and one concerned locker rooms. He said the committee had resolved all issues quickly and efficiently. He recalled the committee's review of the department's search and seizure policy, which had taken longer than planned but was of importance to the community. He believed that the committee's input resulted in changes that reflected

community values. He believed the commission and its committees both considered community values in the work they did.

Mr. Walker, seconded by Mr. Manning, recommended that the commission approve the fitness policy and locker room policy as recommended by the Policy Screening and Review Committee.

Because not all commissioners had the opportunity to review policies in question, Mr. Walker recommended that the commission table the motion.

Mr. Walker, seconded by Ms. Conover, moved to table the motion. The motion passed unanimously, 11:0.

Outreach and Resource Committee—Mr. Manning reported that the committee completed work on the outreach tool kit and an anonymous survey of line officers regarding their knowledge of the Police Commission. He anticipated the commission would discuss the toolkit and the survey in June.

6. Reconstituted Policy Screening and Review Committee

Mr. Valle reminded the commission of the action it took to reconstitute the Policy Screening and Review Committee (PRSC). The commission then discussed several ideas for how members were assigned to the committee as well as how many policies the PRSC should review in the future.

Ms. Ortiz questioned if the commission needed to review every Lexipol policy given that the City's financial condition had changed since the chief made that request. She recommended that the department determine the top ten, high community impact policies it wanted the committee to review. She also recommended that the commission's work plan be changed to a two-year work that reflected the committee's policy reviews. Mr. Manning and Ms. Conover also questioned the number of policies proposed for review.

Ms. Conover reminded the commission of the tie between the number of meetings the PRSC could hold and the budget. She was also concerned about the demand on the department's time. Mr. Walker did not think the budget should be a limiting factor for the commission, otherwise, the commission could not do its job and comply with the ordinance that established it. Ms. Ortiz emphasized that it was Chief Kerns' job to determine the department and commission's budget. Ms. Hawley indicated that department staff had direction to reduce the budget in many areas, including commission support.

Mr. Valle agreed with Ms. Ortiz and suggested the commission seek Chief Kerns' input regarding the Lexipol policies.

Ms. Miller, seconded by Ms. Lange, moved to poll commission members as to their interest in being on the Policy Screening and Review Committee and if there are more than six members the commission would draw names for who would be on the committee. The motion passed, 10:1; Mr. Lohrke voting no.

Chief Kerns arrived.

Mr. Walker, Mr. Valle, Ms. Miller, Ms. Conover, Ms. Hamilton, and Mr. Lohrke expressed interest in serving on the committee.

Mr. Clark, seconded by Mr. Manning, moved to appoint the six volunteers to the committee. The motion passed unanimously, 11:0. The six members are Bob Walker, Jesse Lohrke, Linda Hamilton, Bernadette Conover, Tamara Miller and Juan Carlos Valle.

Ms. Conover, seconded by Mr. Garner, moved to appoint Mr. Walker as chair of the committee.

Ms. Conover commended Mr. Walker's 'spectacular' service.

The motion passed unanimously, 11:0.

7. Break

8. Jail Bed Capacity Update

Chief Kerns led the commission through a PowerPoint presentation about local jail bed capacity that indicated the local average number of jail beds per 1,000 reported crimes would drop from 23 beds per 1,000 reported crimes to 10 per 1,000 reported crimes after July 1; that national average was 72 beds per 1,000 reported crimes. The reduction severely reduced accountability for crimes and increased the likelihood that people would reoffend. Commissioners asked questions clarifying the information presented.

Chief Kerns anticipated that police practices would change, although he was unsure to what degree until he had more information about the impact of the jail bed reductions. He suggested that could include using detectives to increase the police presence. Chief Kerns indicated that the City was in a 'wait and see' mode regarding the Lane County budget, but he anticipated a dramatic difference in the number of available jail beds as of July 1, 2012.

Responding to a question from Ms. Ortiz, Chief Kerns said the cost of ten beds was approximately \$350,000. He promised to secure precise figures.

9. Gang Update

Sergeant Scott McKee joined the commission and provided an update on local gang activity that indicated an increasing trend toward "hybrid" criminal gangs containing members of different affiliations who worked together as well as increased activity on the part of outlaw motorcycle gangs. Commissioners asked questions clarifying the details of the information presented.

Responding to a question from Mr. Manning, Sgt. McKee indicated he was unaware of any legislation that would declare Oregon to be a "gang-free" state. Mr. Manning supported such legislation.

Sgt. McKee noted police activity in the Trainsong neighborhood that led to the jailing of gang leaders and said neighbors reported that the neighborhood had improved dramatically. He had asked a department crime analyst to quantify the before and after difference. Sgt. McKee emphasized the importance of community assistance in making gang member arrests and the risk that residents took in doing so.

Sgt. McKee noted the Gang Symposium scheduled for October 12-13, 2012, in Eugene and said it would focus on alternatives for youth.

Mr. Lohrke expressed concern that the Trainsong neighborhood was mischaracterized in ways when many things good were occurring there. The neighborhood was not and had not been a hotspot of crime. Sgt. McKee acknowledged Mr. Lohrke's remarks and said he was not trying to pick on the neighborhood. His experience with the neighborhood was that one particular street was experiencing considerable criminal activity associated with local youth.

Ms. Hamilton said from the perspective of Parole and Probation, Trainsong did have gang problems. One of the gang leaders who caused many problems had been a parolee. Many gang leaders recruited young people into gangs and some gang members came to Eugene from Portland and California. She believed the problem was on the rise, particularly as it affected Latinos and Africa-Americans, and was not confined to Trainsong. She said it would take the entire community to fight the problem.

Ms. Conover suggested that for the purposes of Chief Kerns' reports, the Trainsong neighborhood was not a hotspot. She said that crime moved around, and until one became a victim or sat on a grand jury, one was unlikely to be aware of local crime. Mr. Valle concurred. He also recognized the truth in Ms. Hamilton's remarks but suggested the commission needed to be careful not to categorize people and needed to talk about alternatives that allowed youth to avoid gangs.

10. Chief's Report

Chief Kerns led the commission through his monthly report. He said the department was preparing for the annual lieutenant promotion process scheduled for June and Sgt. Terry Fitzpatrick had been assigned as the new policy supervisor. The following week was National Police Week and he would be present for the ceremonies scheduled in Washington, DC. Chief Kerns reviewed his community outreach activities for the past month.

Chief Kerns noted an increase in stolen vehicles, commercial burglaries, and residential burglaries for the week of May 2 to May 8 on a citywide basis and shared trend graphs in support of his remarks. He compared statistics in those categories with statistics from the previous week, previous month, and previous year.

Chief Kerns announced that Lieutenant Rex Barrong was retiring. The Police Awards Ceremony was scheduled for May 23, 2012. He reported that the department had six recruits graduating from the State Police Academy in June.

Mr. Valle presented a certificate of appreciation to Ms. Phelps, who was retiring, for her service to the commission.

11. Retreat Recap

Ms. Hawley distributed a summary of the voting results recent retreat and reminded the commission that it had agreed to begin development of the work plan at the June meeting by assign meeting dates to the topic areas. She invited comments or suggested changes via email.

12. Closing Comments

Mr. Walker, seconded by Ms. Conover, moved to extend the meeting for ten minutes. The motion passed, 9:2; Ms. Hamilton and Mr. Manning voting no.

Ms. Hamilton left the meeting.

Mr. Walker expressed concern about the matrix system at the jail and asked that the system be explained to him more fully at a future time. He was also concerned about the impact of the commission's budget on the commission's ability to carry out its work and suggested that the City Council might have to ultimately decide the commission's fate. He did not think six meetings a year would suffice.

Mr. Walker recommended that the commission take simple measures like the club or CAT sticker to protect their vehicles from theft. He also recommended that commissioners take advantage of the service crimereports.com, which would provide weekly summaries of crime in their neighborhoods.

Ms. Conover reported that the Police Auditor and CRB were working on their yearly reports to the council. The CRB was also working on its review of the auditor.

Mr. Manning expressed concern about meeting management. Mr. Valle encouraged commissioners to help him manage the meeting time.

Ms. Lange did not think the commission's funding was guaranteed and recommended that it prepare a contingency plan for the coming year. She suggested discussion be scheduled in June. Ms. Lange reported that the council postponed adoption of the social host ordinance due to push back from the leadership of the Associated Students of the University of Oregon.

Mr. Garner was happy the PRSC was reconstituted.

Mr. Lohrke believed that people should reconsider any preconceived notions about gangs because of the importance of freedom of association. He did not think people should be judged on the basis of who they rode their motorcycles with.

Ms. Miller acknowledged the challenge of change and expressed appreciation for the discussion of the budget. She believed the commission might need to get creative to get things done.

Speaking to Ms. Frisch's testimony suggesting the commission solicit work plan ideas from the department, Ms. Miller appreciated the department's perspective but believed it needed to be balanced with the community's perspective.

Mr. Valle adjourned the meeting at 8:40 p.m.

(Recorded by Kimberly Young)

MINUTES

Eugene Police Commission-Annual Retreat
Washington Park Center – 2025 Washington Street
Eugene, Oregon

May 5, 2012
9:00 a.m.

PRESENT: Juan Carlos Valle, Chair; Tamara Miller, Vice Chair; Andrea Ortiz, Bernadette Conover, Jim Garner, Linda Hamilton, Kaitlyn Lange, Jesse Lohrke, James Manning, Tim Mueller, Bob Walker, commissioners; Police Chief Pete Kerns; Carter Hawley, Linda Phelps

ABSENT: Mike Clark

Mr. Valle started with an ice breaker. Ms. Hawley completed an ice breaker, and followed up with a conversation about diversity and cultural bias.

Bylaw discussion

Ms. Ortiz asked that staff redline the bylaws against the Boards & Commission Manual.

Ms. Miller supported adding language aligning the bylaws with Boards & Commission Manual.

Mr. Valle reiterated that that the Commission decides what its bylaws are.

Mr. Valle suggested language be added to require committee participation by all commissioners.

Ms. Miller suggested that the group consider the comments made by Mr. Jon Belcher at a previous Police Commission meeting.

Ms. Ortiz supported the idea of requiring a vote, unless there is a conflict of interest. Ms. Miller agreed.

Mr. Mueller commented about the goals of the Police Commission. He noted that there are no goals about supporting the Police Department. He wanted to note that the Commission's job is not to support the department

Police Commission 2012 Work Plan

Ms. Hawley reviewed the status of the work plan.

Ms. Ortiz expressed that it was unacceptable to not do the hate crimes conference. Ms. Conover suggested that this could be added, contingent on the placement of this item in the work plan of the Human Rights Committee.

Ms. Ortiz said that she is committed to participate, but believes that more outreach from the part of volunteers is more important. She also asked about the scope and target of the Hate Crimes Conference.

She appreciated the offer from Mr. Mark Gissiner, Police Auditor to participate and support the Hate Crimes Conference.

Ms. Hamilton noted that two staff from the Equity and Human Rights Center have attended planning meetings for the Hate Crimes Conference.

Mr. Mueller said he'd like to continue to be on the committee, even after he is no longer on the Police Commission.

Ms. Ortiz asked about how additional agenda items get on the Police Commission agenda. Mr. Valle responded that she should ask leadership.

Break

Chief Kerns Briefing

Chief Kerns provided the following brief updates:

- EPD will be working with Occupy Eugene
- Anticipating a successful move to 300 Country Club
- Olympic Trials – June and July
- Fiscal year 2012 budget is very tight. Some of the budget authority is being used for 300 Country Club.
- Presidential campaign visits anticipated at approximately 5-10 visits per year at about \$25,000 per visit.
- Data Led Policing – Created a DLP steering committee.
- Reductions within the Department, include reduce vacant positions in administration. The following positions will be reduced:
 - o Two fewer administrative assistants.
 - o One Community Service Officer
 - o Senior Planner
 - o ½ Records position

Ms. Miller asked about the focus towards crime reduction.

Ms. Conover asked about how much time the Ms. Hawley spends on Commission work. Ms. Hawley estimated approximately 60% -70% of her time. Ms. Conover asked how much that was likely to change. Chief Kerns responded that it would be approximately 25%-30%.

Ms. Conover asked if there was a way to streamline the Policy Review Committee, to have the review be more high level summary.

Chief Kerns responded that the committee could review every paragraph. Alternatively, the committee could focus on principles and relay the information and values to the Department.

In response to questions from Ms. Conover, Ms. Hawley reported that there were approximately 52 meetings in the preceding year and that every hour of meeting takes approximately four to five hours of staff work. Ms. Ortiz concurred.

Mr. Valle commended the Department on the continued discussion with Occupy Eugene. He asked if the Department has looked at other possible funding sources, or other service changes that will cost less. Chief Kerns did not believe there was additional funding available, other than what the department has already pursued.

In response to a question from Ms. Ortiz, Chief Kerns responded that the department is not in discussions with other jurisdictions about merging or sharing services.

In response to question from Mr. Garner, Chief Kerns responded that the vacancies, especially management positions, create a challenge for the staff serving “acting in capacity”, because they are only in the position temporarily.

Mr. Manning asked about the strategic goals, and about how the department will engage with the public, in light of the elimination of the National Night Out. He asked whether the Captains have been meeting with the neighborhoods, and that the Commission be invited. The Chief responded that with the current vacancies, outreach and meetings with the neighborhoods have not occurred, but will look into it in the future.

In response to a question from Ms. Miller, Chief Kerns responded that the most important resource issue is how the officers spend their time.

Mr. Mueller asked if EPD has reviewed laws to decriminalize anything for cost savings. The Chief responded that he is not aware of any circumstances where the Department seeks laws to be removed to alleviate work load.

Mr. Walker expressed concern about rising “vigilante justice”, in light of budget shortfalls. He asked if it made sense to have a metropolitan tax district. He also supported the idea of voice recognition technology.

Mr. Garner asked if there have been any successes in recruiting bi-cultural. Ms. Phelps responded that the Department is above the Northwest average for bi-cultural and for women in the department. Staff will get information about affirmative action.

Ms. Ortiz suggested that the Chief should do an op-ed piece for the work that the department is currently doing. In response to a question, Chief Kerns responded that canceling National Night Out is a funding and a capacity issue. Ms. Ortiz asked the Chief to provide the Council the cost information for National Night Out. The Chief also followed up that the Youth Academy, Prevention Convention, and Safety Town, are also cancelled.

Ms. Ortiz suggested that the Commission get involved in the knock and talk which takes place in the fall.

FY 2013 Goals

The Commission brainstormed and then voted on possible work plan items for FY 2013. Listed below is the complete list, ranked by votes received, then alphabetical.

Votes	Item
7	Host “State of Public Safety” Panel, including Sheriff, DA, SOP, Seattle PD, P&P
7	Jail Services In reduction – <ul style="list-style-type: none"> - Policy needed – Jail refusing to take custody - Safety of prisoners in vehicles
6	Find better way to respond to public comments in a regular way
6	Review resources, meeting schedules, and balance priorities of Commission
5	Domestic violence <ul style="list-style-type: none"> - Policy review by community groups - What works & what doesn’t - How are priorities set - Include or do not include SA (LP, not sure if those who voted intended to include SA or not)
4	Combine Hate Crimes concerns with gang symposium and other efforts and receive updates
4	Continue Lexipol updates
3	Student forum on campus – learn about laws and make connections
2	CRB – Bathroom use by people in custody
2	If EPD Requests a DPSX extension, request to hold a forum
2	Outreach – Attend every neighborhood group once per year and neighborhood summit
2	Review vehicles (selection process, choices, etc)
1	Approach policies from focus on Commission Values – rather than detailed “final” versions.
1	Broken Window theory – address vandalism, property crime (Look @ national models, have presenters and new ideas)
1	Continue Hate Crimes Conference
1	Discuss collaboration with social services to make EPD have less work, including crime prevention
1	Joint meeting with CRB
1	National Night Out (LP – Can’t tell if 3 dots are for student forum or national night out. See green highlight on P1)
1	One meeting in community center
	Respond to community incidents – discuss the policies that are involved and help community understand the “why”
	Review laws that affect homeless people disproportionately and look at unnecessary laws that could be dropped

Ms. Miller said this should go to the full Commission. She asked that staff bring back the prioritized list scheduled into months.

Ms. Lange suggested talking about resources before deciding the work plan priorities.

Staff will return with a prioritized list by month.

Community Values

Mr. Valle asked members to read the material in the packet, and speak about their perspective of community values.

Mr. Lohrke said that he is defense-attorney oriented, and that's the perspective he wants to bring to the table. He believes that the Council appoints commissioners and wants them to share a perspective. Our job is not to "represent" community values.

Ms. Hamilton said she's on the commission as representative from the community. She said originally there were many people from the South area. She participates to provide balance and perspective. She wants to participate where there is diversity, and public comments.

Mr. Manning said community values start in the home, where you learn about love and hate. He served for 24 years in the US Army. There are commonalities throughout the world. People want health, prosperity and peace. People can yell and protest from the outside, but it's different when you participate from the inside. He sees things from the perspective of the military. He appreciates conversations of inclusion and equal opportunity. He values inclusion, equal treatment, impartial judgment, respect of people's comments.

Ms. Miller noted that the City Council works hard to select people throughout the community that are diverse. She didn't have a stated agenda, or priority project. She thinks that everyone values a safe community. She values different opinions at the table. She appreciates the people who come to the meeting, but believes the Commission should also consider the values of people who don't attend meetings. She feels responsible for talking with people about the work of the Commission.

Mr. Valle said that he's not sure if he represents a particular community, but he does bring a perspective to the table. He got involved with the Police Commission because he wanted to see an improvement of the relationship between Police Department and the community. He values honesty.

Mr. Garner supported Ms. Miller's comments. He believes the job of a commissioner is to represent the community, and to poll the community. He tries to share what he believes the community values. He comes representing the perspectives of where he comes from, because it's not possible not to separate yourself from the perspective of where you're from. He tries to not come strictly from his personal perspective, but it has an influence.

Ms. Lange said she comes from a community of privilege, she's a woman, college student, renter. She came to the Commission with an agenda to reflect students at the UO. She provides updates to the students of the work of the Commission.

Mr. Walker shared a story of having a large family dinner, including everyone. He sees the Commission as similar, where everyone should be included. He stated that the Commission is not a true democracy. He doesn't speak for the community, but the Commission is supposed to vote for what it thinks the Community values.

Closing Comments

Mr. Manning – He appreciates the conversation that the Commission has had.

Ms. Miller appreciated the opportunity to have the retreats because it provides the opportunity for frank and open conversation.

Mr. Walker expressed concern about the statement not supporting the police. He believes that the department is part of the community, and we support the community.

Ms. Lange thanked the group for the meeting and conversation.

Mr. Garner thanked the group for the retreat opportunity.

Mr. Valle encouraged the members to speak up.

The meeting adjourned at 2:20.

POLICY
708

**EFFECTIVE
DATE**
Draft 051211

Eugene Police Department



PSRC TRACK

Fitness Center

708.1 PURPOSE AND SCOPE

This policy provides overall direction as to the operation and use of the Fitness Facility located at the Eugene Police Department Headquarters building. The policy governs only that facility and is coordinated with, but not applicable to any other fitness facility in operation by the City of Eugene in another venue.

708.2 Use of the facility

(1) In order to use the facility you must be one of the following:

- EPD employee.
- Spouse, domestic partner (as defined in City of Eugene policy) or family member of an EPD employee and are on one of the City of Eugene Health Plans and 13 years of age, or older.
- A retired EPD employee currently covered by a City Health Plan.
- An EPD volunteer, having been authorized by a Division Commander for use of the facility.

(2) Prior to using the facility you must receive an orientation from the City's Fitness Director, or designee.

(3) Anyone who is not a full time EPD employee must sign a waiver of liability. If the person is under 18 years of age their parent or guardian who is an EPD employee must also sign the waiver. The waivers will be retained by the Facilities and Fleet Sergeant or designee in the Operations Support Division.

(4) Dependents of EPD employees may only use the facility when the department employee is with them.

(5) Facility users may bring their children with them while using the facility but are responsible for their conduct. Unless otherwise authorized by this policy, children may not use any of the equipment.

(6) Each facility user must sign in upon their arrival.

(7) Permission to use the facility may be revoked by the Operations Support Division Commander for repeated violations of this policy or posted rules of the facility.

(8) The facility is in close proximity to work areas, so sound adjustments on audio equipment will be kept at a low enough level so as not to disturb adjacent offices.

Comment [FTA1]: Wording of "dependents" was clear enough.

Comment [FTA2]: Mr. Manning asked about the need for users to have ID or Prox cards

Lt. Fellman & I determined that fitness center users will only need a prox card to gain entry into the building. No ID cards need to be displayed.

708.3 Cleanliness

- (1) Items brought into the facility (i.e. water bottles) will not be left on the floor or stored on any of the equipment except in areas specifically designed for that use.
- (2) Personal items shall not be left at the facility when you are done. These items will be collected by personnel responsible for the facility and stored in a bin designated for such items for a period not to exceed two (2) weeks, at which time they will be disposed of. Valuable items will be locked up for the same period.
- (3) Day lockers will be provided for non-uniformed personnel. Uniformed personnel are expected to use their standard locker while using the facility.
- (4) Personal locks ~~on day lockers are prohibited, may only be used while using the Fitness Center. Personal locks left on day lockers when you are done may be removed and contents disposed of per 708.3(2).~~
- (5) Fitness Center users should wipe down the equipment using anti-bacterial wipes that are supplied at the facility immediately following its use.

Comment [FTA3]: This was added so valuables can be secured when using the Fitness Center.

708.4 Attire

- (1) Only attire appropriate for exercise will be worn in the facility
- ~~(2) All users will wear shorts (or similar items), shirts and shoes~~
~~a — shirts are optional for males while using cardio machines~~
- ~~(3)~~(2) Since this facility is inside the business area of the police building, appropriate attire will also be worn when arriving or leaving the facility

Comment [FTA4]: PSRC felt this should be removed with 1 & 2 to stand alone. Was shirtless professional?

This change was agreed upon.

708.5 Food and Beverages

- (1) Only food and beverages designed for fitness activities (i.e. water, sports drink, power bars) will be brought into the facility
- (2) Beverages will be in spill-proof containers.
- (2) Food and beverage items will be thrown away or carried away when you are done using the facility

Comment [FTA5]: PSRC wanted to know who determines what is appropriate attire as well as food & beverage.

Section 708.7 added

708.6 Maintenance and supplies

- (1) General maintenance of the equipment is done by authorized personnel only and a contracted company (if used)
- (2) Equipment breakage or malfunction shall be reported via e-mail to *Eugene Police Weight Room Group.
- (3) If a facility user observes equipment breakage or malfunction that poses a serious risk of injury, they shall place a "Broken – Do Not Use" tag on the equipment. Tags will be available in the facility.

~~(4) Towels provided by the department may be used. They will be deposited in the supplied hamper prior to leaving the facility. Personal towels may be used, and they are not to be left at the facility.~~

Comment [FTA6]: Angie S. advised no budget at this time

708.7 Supervisor Responsibility

~~(1) Disagreements over what is appropriate attire, day lockers, food and beverages, or other issues arising from the use of the Fitness Center should be addressed to the Fitness Center Sergeant.~~

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POLICY**710****EFFECTIVE
DATE**
Draft 09/06/11**Eugene
Police Department****PSRC CRAFT POLICY**

Locker Room Facilities

710.1 PURPOSE AND SCOPE

Locker Room facilities are provided to uniformed employees in order to provide adequate storage of equipment, in a safe and secure environment. This policy establishes standards and practices regarding the use of these facilities.

Lockers are subject to search or inspection by the Department at any time without notice for work-related or administrative purposes (refer City of Eugene Administrative Policy 5.5).

Day-use lockers are provided for other employees and persons who use the Fitness facility and the policy regarding their use can be found in Policy 708 – Fitness Center.

710.2 USE OF THE FACILITIES

Use of the Locker Room(s) at Police Headquarters is limited to Uniformed employees only. For purposes of this policy, "Uniformed" refers to any employee who is required to wear or have ready a department uniform. Only individuals authorized by the Chief of Police or a commanding officer may, when necessary, enter and remain in the locker room, and then only to conduct official business.

710.3 USE OF DEPARTMENT LOCKERS

The department will issue combination locks for the sole purpose of locking the employee's locker. No other lock shall be used to secure an employee's locker.

Lockers will be locked at all times when the assigned employee is not in the immediate vicinity of the locker.

The locker will not be modified or altered in any way, except with the express approval of the department. The locker is intended to store equipment necessary to perform the employee's job and the temporary storage of personal items. All items will be stored inside the locker, or under the seat consistent with the design of the locker. No items will be hung or attached to the exterior of the locker.

Employees will not affix anything or write anything on the exterior of the locker. Personal items may be taped or temporarily affixed to the inside of the locker, so long as they comply with existing work place standards established by the City. In essence, nothing will be affixed

Comment [FTA1]: PSRC wanted this to avoid conflict w/ Fitness Center Policy.

inside the locker that may be construed as offensive, discriminatory or inflammatory to other employees.

Patrol Rifles issued to officers will be secured in their assigned locker when not in use. When stored in a locker, the rifle will be unloaded and stored in the area of locker designed for rifle storage.

Lockers are designed for storage of damp and/or sweaty clothing items, so these items can be stored inside the locker. If equipment is wet, they can be temporarily stored in the Dry Equipment Room until dry.

Comment [FTA2]: PSRC inquired into the size of new lockers.

7 feet high, 30" wide, 36" deep at base
(provides seating & storage for bags, & 24" wide
above seat)

POLICY
324

**EFFECTIVE
DATE**
Draft 091911

Eugene Police Department



PSRC TRACK

Temporary Custody of Juveniles

324.1 PURPOSE AND SCOPE

This policy provides guidelines and requirements for the detention and disposition of juveniles taken into temporary custody by members of the Eugene Police Department.

324.1.1 JUVENILE DELINQUENCY AND DEPENDENCY

Officers may take custody of juvenile offenders by two methods:

- Protective custody (ORS 419B.150 through ORS 419B.175)
- Delinquency custody (ORS 419C.080 et seq.)

Comment [FTA1]: PSRC inquired about the use of terms: juvenile, child, & youth. When the term child or youth is used it comes from ORS language, otherwise juvenile is used.

324.2 AUTHORITY TO TAKE CUSTODY OF JUVENILES

(a) An officer is authorized to take a juvenile into custody under the following circumstances:

- When a child's condition or surroundings reasonably appear to be such as to jeopardize the child's welfare (ORS 419B.150(1)(a))
- When there is a court order directing a child be taken into protective custody (ORS 419B.150(1)(b))
- When it reasonably appears that the child has run away from home (ORS 419B.150(1)(c))
- When it reasonably appears the juvenile is a fugitive from another state (ORS 419C.145(1)(a))
- When there is a court order directing a youth be taken into custody (ORS 419C.080(1)(b))
- When, if the youth were an adult, the youth could be arrested without a warrant (ORS 419C.080(1)(a))

(b) An officer shall take a youth into custody when the officer has probable cause to believe the youth, while in or on a public building or court facility within the last 120 days, possessed a firearm or a destructive device in violation of ORS 166.250, 166.370, or 166.382 (ORS 419C.080(3)).

(c) Protective custody will not be deemed an arrest so far as the child is concerned and an officer taking a child into protective custody has all the privileges and immunities of an officer making an arrest (ORS 419B.155)

324.2.1 CONSTITUTIONAL RIGHTS ADVISEMENT

In any case where a youth is taken into temporary custody based upon delinquency, the youth should be promptly advised of his/her rights to ensure the admissibility of any spontaneous statements, whether or not questioning is intended.

324.2.2 DISCIPLINE OF JUVENILES

Police personnel are prohibited from administering to any juvenile for the purposes of discipline or punishment any infliction of or threat of physical injury or pain, deliberate humiliation, physical restraint, withholding of meals, isolation, or detention under conditions which violate the provisions of ORS 169.750, subsections (2) to (8), ORS 169.076 (7) to (11), (13), or (14), or ORS 169.740.

324.2.3 CITATIONS IN LIEU OF CUSTODY

(a) In lieu of taking a youth into custody for an act that would constitute an offense if committed by an adult, an officer may issue a citation for the same offenses and under the same circumstances that a citation may be issued to an adult (ORS 419C.085).

(b) If cited, youths will be cited into Juvenile Court unless the offense has been waived jurisdiction to Eugene Municipal Court. Eugene Municipal Court will hear all juvenile citations involving a motor vehicle, bicycling, skateboarding, or pedestrian law which is not a felony.

324.3 TEMPORARY CUSTODY

(a) Unless otherwise authorized by ORS 419C.130(1), a juvenile may not be detained at any time in a police station, jail, prison or any other place where adults are detained, except that a juvenile may be detained in the police station for up to five (5) hours when necessary to obtain the juvenile's name, age, residence, and other identifying information (ORS 419B.160).

(b) As soon as practical after a juvenile is taken into custody, the officer will notify the juvenile's parents, guardian, or other responsible person. The person notified will be informed of the reason the juvenile was taken into custody, the location where s/he is being temporarily detained, and the intended disposition (ORS 419B.160 and 419C.097).

324.3.1 TEMPORARY CUSTODY REQUIREMENTS

All juveniles held in temporary custody will have the following made available to them:

- (a) Access to toilets and washing facilities.
- (b) One snack upon request during the term of temporary custody if the juvenile has not eaten within the past four hours or is otherwise in need of nourishment. The snack will be provided by the department.
- (c) Access to drinking water.
- (d) Privacy during visits with family, guardian, or lawyer.
- (e) The opportunity to make at least two telephone calls within one hour of being taken into temporary custody. The telephone calls must be made to a parent, guardian, responsible relative, employer, or an attorney.

324.3.2 NON-CONTACT REQUIREMENTS

There will be no contact between juveniles held in temporary custody (either non-secure or secure detention) and adult prisoners.

324.4 SECURE CUSTODY

The Department has detention rooms which are designed for the temporary detention persons in custody, including juveniles meeting the criteria of secure custody. Officers or detectives placing juveniles in secure detention rooms will comply with the following:

(a) It is the officer's responsibility to notify the Watch Commander, desk personnel, and/or detective personnel that a detention has begun. The juvenile should be told the reason for incarceration.

(b) Any juvenile placed in a locked detention room will be separated according to sex and the severity of the crime (felony or misdemeanor) unless emergency circumstances will not allow for this type of segregation. When such separation is not possible, the Watch Commander will be consulted for directions on how to proceed with the detention of the multiple juveniles involved.

(c) A written record will be maintained on a detention log located in the Watch Commander's office. This log will include the charges for which the juvenile is being detained, the circumstances that warrant a secured detention, the time the detention began, and the time it ended. There will also be a place for the Watch Commander to initial the log approving the detention to occur and to initial the log when the juvenile is released.

(d) It is the responsibility of a ~~detective (when available)~~ the arresting officer to monitor the custody of the juvenile and to prepare the necessary paperwork to process the juvenile for release to a parent, guardian, or the appropriate juvenile custody facility. When a detective is not available, the Watch Commander, or his/her designee, will be responsible for monitoring the detention of the juvenile, and ensuring that appropriate paperwork is prepared to process the juvenile out of the custody of this department. The Watch Commander will be notified in all cases when a juvenile is detained at this department, and when applicable, will be provided the name of the detective taking responsibility for the detention and processing of the juvenile.

Comment [FTA2]: PSRC wanted it made clear on who was responsible.

(e) A thorough inspection of the detention room will be conducted before placing a juvenile into the room. A second inspection will be conducted after removing the juvenile. Any damage noted to the room will be photographed and documented in the crime report.

324.4.1 JUVENILE'S PERSONAL PROPERTY

The officer placing a juvenile into a detention room must make a thorough search of the juvenile's property. All items ~~likely to cause injury to the juvenile or the facility~~ taken from the juvenile will be confiscated and placed in a property bag. The property will be inventoried in the juvenile's presence and sealed into the bag. The property will be maintained by the responsible detective or the desk personnel or locked in a secure location until the juvenile is released from the custody of the Department.

Comment [FTA3]: PSRC thought all items should be seized to avoid any dispute over what could or couldn't be seized.

324.4.2 MONITORING OF JUVENILES

The juvenile will constantly be monitored by the audio/video system during the entire detention. An in-person visual inspection will be done to ensure the welfare of the juvenile and will be conducted at least once each half-hour, on an unscheduled basis, until the juvenile is released. This inspection will not be replaced by video monitoring. This inspection will be conducted by a designee of the Watch Commander, the arresting officer or their designee and the visual inspection will be logged on the Inspection Log in the Watch Commander's office, recorded in the arresting officer's police report.

Comment [FTA4]: PSRC inquired if audio recordings would be made. Upon checking only video is used.

Comment [FTA5]: PSRC inquired about having a log to record the inspections. Upon checking with Angie I learned no log was planned.

If juveniles are detained at any location other than a temporary holding facility they will remain in the presence of officers, or under continuous observation by officers or other members of the department during the entire period of detention. Juveniles will not be locked in a room by themselves.

More frequent visual inspections should be made as circumstances dictate as in the case of an injured or ill juvenile being detained, or if specific circumstances exist such as a disciplinary problem or suicide risk. In such instances the Watch Commander will be fully informed about the special circumstances in order to evaluate continued detention of such a juvenile. Juvenile Security Report Logs and Confinements of Juvenile Logs will be turned into the Records Manager or his/her designee at the end of each month.

324.4.3 RELEASE OF A JUVENILE TAKEN INTO CUSTODY

The person taking the juvenile into custody will release the juvenile to the custody of the child's parents, guardians or other responsible person, except in the following cases (ORS 419B.165(1)(2)):

- (a) Where there is a court order or an arrest warrant directing that the juvenile be taken into custody.
- (b) Where the person taking the child into custody has probable cause to believe that the welfare of the child or others may be immediately endangered by the release of the child.
- (c) When the officer taking the youth into custody has probable cause to believe that the youth, while in or on a public building or court facility within the last 120 days, possessed a firearm or destructive device.
- (d) When a child is taken into protective custody as a runaway the officer will release the child without unnecessary delay to the custody of the child's parents or guardian or to a shelter facility designated by Child Welfare.
- (e) Where a child residing in some other county is taken into protective custody the child may be released to the child's parents or some other responsible person or delivered to an officer or juvenile counselor in the county for which the child resides if delivery can be made without unnecessary delay.
- (f) If after consulting with a child's parents or guardian it reasonably appears that a child taken into custody as a runaway would not willingly remain at home and the best interest of the child are better served if placed in a shelter, the child may be placed in a shelter designated by Child Welfare (ORS 419B150(3)(b)).

324.4.4 PROCEDURE WHEN THE CHILD IS NOT RELEASED FROM PROTECTIVE CUSTODY

A child that is not released to the child's parent, guardian, or other responsible adult, will be transported to an approved shelter designated by Child Welfare and lodged. If no approved shelter care facility is available, the juvenile may be transported to the county detention facility and lodged pending further action by the juvenile court.

324.4.5 PROCEDURE WHEN YOUTH IS NOT RELEASED FROM DELINQUENCY CUSTODY

(a) If a youth is not released to the parent, guardian or other responsible person and the Juvenile Court has not instructed the youth to be released to a person authorized by the court to effect disposition of the youth, then the officer will take the youth to the county juvenile detention facility to be lodged pending further determination by the Juvenile Court.

(b) A youth who is 16 years of age or older, and who has been waived to Circuit or Municipal Court may be detained in jail or other places where adults are detained (ORS 419C.130).

(c) No youth under 12 years of age will be placed in detention except pursuant to judicial review and written findings describing why it is in the best interest of the youth to be placed in detention (ORS 419C.133). Absent such a review and findings, a youth under 12 years of age who cannot be released to a parent or guardian, should be placed in a shelter designated by Child Welfare.

Comment [FTA6]: PSRC inquired about juvenile, youth, child wording. Juvenile used unless in ORS

(d) If a parent, guardian or other person responsible for the youth cannot be found or will not take responsibility for the youth and no appropriate shelter care or space is available and the youth cannot be released safely on recognizance or conditionally, a youth who is accused of an act which would be a crime if committed by an adult may be detained for a period of time not to exceed 36 hours from the time the youth is first taken into custody to allow the juvenile department, counselor or other person designated by the Juvenile Court to develop a release plan to ensure the youth's safety and appearance in court (ORS 419C.136).

324.4.6 REPORT REQUIRED WHEN A JUVENILE IS TAKEN INTO CUSTODY

Whenever a juvenile is taken into custody, the officer will prepare a written custody report including, at minimum, the following information:

- (a) The juvenile's name, age and address.
- (b) The name and address of the person having legal or physical custody of the juvenile.
- (c) Reasons for, and circumstances under which, the juvenile was taken into custody.
- (d) Efforts taken to notify and release the juvenile to his/her parent, guardian or other person having legal responsibility.
- (e) The date, time, location and to whom the juvenile was released.
- (f) If the juvenile was not released, the reasons why.
- (g) If the youth was not released, the shelter or place of detention of the youth.
- (h) The office will route a copy of the report to the Juvenile Court and the District Attorney.

324.5 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Officers ~~of this department~~ will not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

Comment [FTA7]: PSRC felt this was better.

324.6 ADDITIONAL CONSIDERATIONS PERTAINING TO JUVENILES

324.6.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile who is either in secure or non-secure custody, the paramedics will be called. The Watch Commander will be notified of the need for medical attention for the juvenile.

In cases where injury or illness is life threatening and where lost minutes may be the deciding factor, the arresting officer or the discovering officer should administer first aid prior to the arrival of the paramedics. The juvenile will then be transported to a medical facility.

In the event of a serious illness, suicide attempt, injury or death of a juvenile, the following persons will be notified as soon as possible:

- The Juvenile Court
- The parent, guardian, or person standing in ~~loco parentis~~ the place of a parent for of the juvenile

324.6.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

The arresting officer should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill himself/herself, or any unusual behavior which may indicate the juvenile may harm himself/herself while in custody in either secure or non-secure detention.

The detaining or transporting officer is responsible to notify the Watch Commander if he/she believes the juvenile may be a suicide risk. The Watch Commander will then arrange to contact a mental health team for evaluation, or to contact ~~Juvenile Hall~~ Juvenile Hall the Lane County Department of Youth Services and arrange for the transfer of the juvenile, providing the juvenile meets the intake criteria. The juvenile will be under constant personal supervision until the transfer is completed.

Comment [FTA8]: PSRC felt Juvenile Hall comment unclear.

324.6.3 USE OF RESTRAINT DEVICES

Policy Manual § 306 refers to the only authorized restraint device. It is the policy of this department that restraints will not be used for inmates retained in custody. This policy also applies to juveniles held in temporary custody. The use of a restraint is an extreme measure and only for a temporary measure pending transportation to another facility or until other custodial arrangements can be made. Restraints will only be used under the following circumstances:

- (a) When the juvenile displays bizarre behavior that results in the destruction of property or shows intent to cause physical harm to self or others.

- (b) When the juvenile is a serious and immediate danger to himself/herself or others.
- (c) When the juvenile otherwise falls under the provisions of ORS 426.228.

Restraint devices include devices which immobilize a juvenile's extremities and/or prevent the juvenile from being ambulatory. Restraints will only be used after less restrictive measures have failed and with the approval of the Watch Commander.

Restraints will only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

As long as the subject is restrained, direct visual observation will be constantly maintained to ensure that the restraints are properly employed, and to ensure the safety and well-being of the juvenile.

The Watch Commander will arrange to have the juvenile evaluated by a mental health team as soon as possible if there is evidence of mental impairment. When mental impairment is suspected, constant personal visual supervision will be maintained in order to ensure that restraints are properly employed and to ensure the safety and wellbeing of the juvenile. Such supervision will be documented in the police report.

The Watch Commander will arrange to have the juvenile evaluated by a mental health team as soon as possible if there is evidence of mental impairment. When mental impairment is suspected, constant personal visual supervision will be maintained in order to ensure that restraints are properly employed and to ensure the safety and wellbeing of the juvenile. Such supervision will be documented in the police report.

324.6.4 DEATH OF A JUVENILE WHILE DETAINED

In the event of a juvenile's death while being detained at this department, the District Attorney's Office and the Sheriff's Office and Medical Examiner will conduct the investigation of the circumstances surrounding the death. The Support Services Division Manager or his/her designee will conduct an administrative review of the incident.

A medical and operational review will be conducted in any case in which a juvenile dies while detained at the Eugene Police Department. The review team will include the following:

- Chief of Police or his/her designee.
- ~~The health administrator.~~
- The responsible physician and other health care and supervision staff who are relevant to the incident.

324.6.5 CURFEW VIOLATIONS

Officers may take a juvenile into custody for curfew violations pursuant to ORS 419C.680.

324.7 JUVENILE CONTACTS AT SCHOOL FACILITIES

Absent exigent circumstances, officers will notify responsible school officials prior to contacting a student on campus while school is in session.

(a) Reasonable efforts should be taken to coordinate with school officials to minimize disruption of school functions and maintain a low profile police presence when contacting a student.

(b) Whenever circumstances warrant the temporary detention or formal interview of a juvenile student on campus, the officer should:

1. When practical and when it would not unreasonably interfere with the investigation, take reasonable steps to notify a parent, guardian, or responsible adult, including those phone numbers listed on any contact card on file with the school or provided by the student. All efforts to make contact with parents and/or reasons contact was not attempted should be documented.

2. If efforts to contact a parent, guardian, or responsible adult are unsuccessful or not attempted, a formal interview with the juvenile may proceed without them. The juvenile will be advised that Upon the request of the juvenile, a school official may be present during the interview in lieu of a parent.

3. If contacted, the selected parent, other responsible adult, or school official may be permitted to be present during any interview.

[a] An adult suspected of child abuse or other criminal activity involving the juvenile, or an adult, who in the opinion of the officer appears to be under the influence or otherwise unable or incompetent to exercise parental rights on behalf of the juvenile, will not be permitted to be present.

[b] If the officer reasonably believes that exigent circumstances exist which would materially interfere with the officer's ability to immediately interview the juvenile, the interview may proceed without the parent or other responsible adult. In such circumstances, the exigent circumstances should be set forth in a related report.

(c) Any juvenile student who is a suspected victim of child abuse will be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present. The purpose of the staff member's presence is to provide comfort and support and such staff member will not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship.

Absent exigent circumstances or authority of a court order, officers should not involuntarily detain a juvenile who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian. In all such cases officers should adhere to guidelines and requirements set forth in Policy 330 Child Abuse Reporting.

324.8 INTOXICATED AND SUBSTANCE-ABUSING MINORS

Juveniles who are arrested while intoxicated may be at risk for serious medical consequences, including death. Examples include acute alcohol poisoning, seizures and cardiac complications of cocaine, markedly disordered behavior related to amphetamines or hallucinogenic drugs, and others.

A medical clearance will be obtained prior to detention of juveniles at the Eugene Police Department when the juvenile displays outward signs of intoxication or is known or suspected to have ingested any substance that could result in a medical emergency. In addition to displaying outward signs of intoxication, the following circumstances require a medical evaluation:

Comment [FTA9]: PSRC wanted language that would require the officer to tell the juvenile they had the right to have a school official present.

- Known history of ingestion or sequestration of a balloon containing drugs in a body cavity
- Minor is known or suspected to have ingested any substance that could result in a medical emergency
- A juvenile who is intoxicated to the level of being unable to care for him or herself
- An intoxicated juvenile whose symptoms of intoxication are not showing signs of improvement

Juveniles with lower levels of alcohol in their system may not need to be evaluated. ~~An example is a juvenile who has ingested one or two beers would not normally meet this criterion.~~

Comment [FTA10]: PSRC wanted example removed.

(a) A juvenile detained and brought to the Eugene Police Department who displays symptoms of intoxication as a result of alcohol or drugs will be handled as follows:

1. Observation of juvenile's breathing to determine that breathing is regular. Breathing should not be erratic or indicate that the juvenile is having difficulty breathing.
2. Observation of the juvenile to ensure that there has not been any vomiting while sleeping and ensuring that intoxicated juveniles remain on their sides rather than their backs to prevent the aspiration of stomach contents.
3. An arousal attempt to ensure that the juvenile will respond to verbal or pressure stimulation (shaking to awaken). This is the most important monitoring procedure.

(b) Personal observation will be conducted on a frequent basis while the juvenile is in the custody of the Eugene Police Department, and no less than once every 15 minutes until such time as the symptoms are no longer present. For juveniles held in secure detention inside a locked enclosure, officers will ensure constant audio monitoring is maintained in addition to conducting the in-person visual checks. All other forms of detention require the officer to maintain constant visual supervision of the juvenile. The 15 minute checks of the juvenile will be documented on the Juvenile Detention Log in the Watch Commander's office.

(c) Any juvenile who displays symptoms suggestive of a deepening comatose state (increasing difficulty or inability to arouse, irregular breathing patterns, or convulsions), will be considered an emergency. Paramedics should be called and the juvenile taken to a medical treatment facility.

(d) Juveniles undergoing acute withdrawal reactions will immediately be transported to a medical facility for examination by a physician.

(e) A medical clearance is required before the juvenile is transported to Juvenile Hall if it is known that the juvenile ingested any intoxicating substances or appears to be under the severe influence of alcohol.

Once the juvenile no longer displays symptoms of intoxication, the requirements in section (a) above will no longer be required. The juvenile will still be monitored on a 30-minute basis as outlined in this policy. The juvenile will continue to be monitored as required for secure or non-secure detentions.

POLICY**900****EFFECTIVE
DATE
Draft
05/29/2012****Eugene
Police Department****PSRC DRAFT POLICY****Prisoner Processing Area****900.1 PURPOSE AND SCOPE**

The Eugene Police Department shall maintain a Prisoner Processing Area Policy and Procedures Manual that consists of this Policy 900 and incorporates the following Policy Manual sections:

- Policy Manual 300 Use of Force
- Policy Manual 306 Leg Restraint Device
- Policy Manual 308 Control Devices and Techniques
- Policy Manual 324 Temporary Custody of Juveniles
- Policy Manual 418 Mental Illness Commitments
- Policy Manual 420 Cite and Release Policy
- Policy Manual 422 Arrest and Detention of Foreign Nationals
- Policy Manual 428 Immigration Violations
- Policy Manual 514 Drunk Driving Evidence and Collection
- Policy Manual 902 Search Procedures for Arrestees
- Policy Manual 1016 Communicable Diseases

The Department shall maintain the custody of prisoners in accordance with this policy and the Procedures Manual and in accordance with Oregon Revised Statutes Chapter 169 and the laws as established by the State of Oregon, Board of Corrections.

The purpose of the Prisoner Processing Area Policy and Procedures Manual is to establish policies and procedures in the booking, housing, security and release of prisoners at all Eugene Police Department's Prisoner Processing Areas. The Eugene Police Department has a zero tolerance for all forms of sexual contact or sexual abuse, either prisoner-to-prisoner or employee-to-prisoner.

900.1.1 SUPERVISION OF PRISONERS

No prisoner will be held in the Prisoner Processing Area unless there is a designated employee who remains within the police building who can supervise the Prisoner Processing Area and respond to emergencies within the Prisoner Processing Area. This is generally the arresting officer, but if their duties will prevent them from supervising the prisoner, they will report this condition to a supervisor who will ensure someone is appointed.

900.1.2 DETENTION OF PRISONERS IN THE PRISONER PROCESSING AREA

It is the policy of the Eugene Police Department that prisoners detained in the Prisoner Processing Area shall be released or transported to another facility, per the provisions of this manual, as soon as possible and practical.

900.1.3 NON-DETAINABLE PRISONERS

Non-detainable prisoners are arrestees who fall within the following classifications and should not be detained in the Prisoner Processing Area. Each person falling into one of the following categories should be transported to the County Jail, the designated medical facility or County Mental Health:

- (a) Any person who is sick or injured requiring medical attention.
- (b) Any person with a medical condition, including pregnant females who may require medical attention, supervision or medication during confinement.
- (c) Any person who has claimed, or is known to be afflicted with, or displays symptoms of any communicable disease and the arresting officer has a reasonable belief (i.e. spitting or bleeding) that the prisoner may contaminate the Prisoner Processing Area.
- (d) Any person suffering from a severe mental disorder. Refer to Policy 418, which is incorporated as a part of this manual.
- (e) Any combative or unruly person who may most likely cause damage to the facility or severely disrupt the good order of the Prisoner Processing Area.
- (f) A prisoner who is or may be contemplating suicide.
- (g) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, narcotics, sedatives, tranquilizers, anti-neoplastic (cancer) drugs, research medication or any person suffering from withdrawals of the above.
- (h) Any person who is intoxicated to the extent that they are unable to care for themselves. If there are investigative reasons to hold a prisoner in this condition in the Prisoner Processing Area they must receive a medical clearance by a physician or EMT before being lodged.

900.1.4 DETAINABLE PRISONERS

Prisoners who fall within the following classifications may be detained in the Eugene Police Department Prisoner Processing Area with the approval of the Watch Commander. Detainable prisoners include prisoners arrested and detained pending:

- (a) Posting of bail (surety release under Oregon Revised Statutes 135.265).

- (b) Release on Own Recognizance (Oregon Revised Statutes 135.245(3).
- (c) Citation release per Policy 420.
- (d) Transportation to the County Jail.
- (e) In custody interview or other investigation.

900.1.5 TRANSPORTATION OF PRISONERS

Generally and when circumstances permit, prisoners of the opposite sex, or adult and juvenile prisoners, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating prisoners is not practicable, officers should be alert to inappropriate physical or verbal contact between them and take appropriate action as necessary.

Whenever a prisoner is to be transported from the Prisoner Processing Area to another facility by a member of this department the transporting officer shall be responsible for the following:

- (a) Verify the identity of each prisoner to be transported matches the booking paperwork.
- (b) Ensure that all pertinent documentation accompanies the prisoner, such as copies of booking forms, medical records when appropriate, an itemized list of the prisoner's property, warrant copies, etc.
- (c) Ensure that any known threat or danger the prisoner may pose, such as escape risk, suicide potential, or medical condition, is recorded on the prisoner's booking documentation and is transported with the prisoner to the next facility. The transporting officer shall ensure such threat or danger is communicated to intake personnel at the next facility.

900.1.6 PRISONERS WITH ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, persons who are detained in the Prisoner Processing Area shall be permitted to retain possession of an orthopedic or prosthetic appliance if it is prescribed or recommended and fitted by a physician. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance shall be removed from the prisoner and secured for safekeeping but shall be promptly returned if it is later determined that such risk no longer exists or when the prisoner is released. If the prisoner is to be transported to jail, the appliance will be given to the receiving jail staff upon booking and the security concerns relayed.

If the appliance is seized as evidence, and the prisoner is going to be released, they should be advised to seek medical advice within the next 24 hours and be given the number to the Risk Management Office if the physician has health and safety concerns.

Whenever a prosthetic or orthopedic appliance is removed from a prisoner the Watch

Commander shall be promptly apprised of the reason for the removal. The Watch Commander will evaluate the decision to remove the device and take appropriate action.

900.2 DEPARTMENT ORGANIZATION AND RESPONSIBILITY

The following responsibilities for the Prisoner Processing Area operations have been established:

- (a) The Chief of Police shall be the facility administrator officially charged, by law, with the administration of the Prisoner Processing Area.
- (b) The Operations Division Administrative Lieutenant is the Prisoner Processing Area Manager and will have the responsibility for planning, managing, administrative functions, review of the facility manual and the operations of the Prisoner Processing Area for all local, state and federal standards relating to such facilities.
- (c) The Watch Commander has functional responsibility for the Prisoner Processing Area. Any supervisor may provide assistance as needed.

900.3 PRISONER SUPERVISION AND CLASSIFICATION

900.3.1 SUPERVISION OF PRISONERS

Personal inspections of each confined person are to be made hourly (Oregon Revised Statutes 169.077).

Those individuals appearing under the influence of intoxicants will be checked every 30 minutes.

If any employee observes any physical or behavioral characteristics of a prisoner that suggest that he or she is vulnerable to sexual abuse, a higher standard of monitoring should be considered, up to constant physical monitoring. Examples of vulnerable prisoners include, but are not limited to: juveniles, women, gay, lesbian, bisexual, transgender, mental or persons with physical disabilities or injuries causing weakness, intoxicated persons.

Comment [FTA1]: Wording returned

900.3.2 LOG ENTRIES AND SECURITY CHECKS

(a) All bookings should be logged into the Prisoner Processing Area Log. The following information will be transmitted via Service Channel (2) radio or telephone to the Communications Center where a new CAD entry will be completed and maintained for the duration of the custody:

1. Case number
2. Date/time of booking

3. Charges

4. Arrestee's name

5. Arresting officer's name

6. Date and time of release

(b) The Watch Commander should make periodic checks to ensure the log and security checks are made on time.

(c) The Facility Manager should review all Prisoner Processing Area Logs and shall report to the Facility Administrator as required.

(d) All logs and reports should be maintained by the Facility Manager for inspection by the Facility Administrator or other officials as may be required.

900.3.3 TEMPORARY DETENTION OF JUVENILES

When a member of this department takes a juvenile into custody, that juvenile must be handled in a different manner than adults. Policy 324 should be consulted regarding the policies and procedures for the temporary custody of juveniles.

All juvenile detentions will be logged per the provisions of Policy 324.

900.3.4 TEMPORARY DETENTION OF FEMALES

Whenever one or more female prisoners are in custody, there shall be at least one female employee who shall be available and accessible to the female prisoner(s). Male employees are not to search or enter the cell of a female prisoner, unless another female employee is present. An exception will be made during an emergency, i.e. a resistive prisoner. In the event there is not a female employee readily available to conduct searches and hourly safety inspections, the female prisoner shall be transported to the county jail, or released pursuant to another lawful process (e.g., citation, O.R. release, etc.).

Comment [FTA2]: Added wording 05/16/12 PSRC meet

Whenever one or more male prisoners are in custody, there shall be at least one male employee who shall be available and accessible to the male prisoner(s). Female employees are not to search or enter the cell of a male prisoner, unless another male employee is present. An exception will be made during an emergency, i.e. a resistive prisoner. In the event there is not a male employee readily available to conduct searches and hourly safety inspections, the male prisoner shall be transported to the county jail, or released pursuant to another lawful process (e.g., citation, O.R. release, etc.).

Comment [FTA3]: Added per 05/16/12 PSRC meet

900.3.5 HANDCUFFING OF PREGNANT ARRESTEES

No arrestee who is in labor shall be handcuffed or restrained by the wrists, ankles or both unless it is reasonably necessary for the safety of the arrestee, officers or others.

900.4 PRISONER PROCESSING AREA SEARCHES

Officers may secure weapons in gun lockers provided. Officers bringing prisoners into the Prisoner Processing Area shall thoroughly search their prisoners. All arrestees brought into the Prisoner Processing Area must be searched by an officer or other authorized employee of the same gender whenever possible before the officer relinquishes control. When a prisoner has been handcuffed, the prisoner should remain handcuffed until the search is completed.

In the case of female prisoners, all searches will be conducted by a female officer or designated female employee whenever possible, and male employees shall remain outside the closed door, but available to assist immediately if needed. Should a female prisoner become combative, an officer may be assigned to restrain her until the appropriate search is completed.

Arrestee search procedures and policies are found in Policy Manual 902.

900.5 FIRE SAFETY AND OPERABILITY

Every Prisoner Processing Area shall be safe and secure in accordance with the State of Oregon Structural Specialty Code and Fire and Life Safety Code.

The person, designated by the facility supervisor as having responsibility for the Prisoner Processing Area should, at the beginning and end of each shift, inspect the Prisoner Processing Area to ensure:

- (a) No flammable materials are stored in the detention area
- (b) Fire extinguishers are serviceable
- (c) Cell keys are available in the Watch Commander's office for emergency use
- (d) First aid kits are readily available and completely stocked
- (e) Smoke detectors are operational
- (f) The facility is clean and appropriate parts are operable. If the cleanliness or operability of the facility is not appropriate, Facilities will be contacted to clean and/or repair the facility. Parts of the facility may be closed until this occurs, if in the judgment of the facility supervisor deficiencies pose a health or safety problem.

The Facility Manager or his/her designee shall inspect the facility on a monthly basis.

The results of the monthly inspection shall be documented in writing. The inspection record shall be retained for two years by the Facility Manager.

900.5.1 FIRE PROCEDURES

(a) In the event of a fire in the detention area the discovering employee should immediately:

1. Notify the Fire Department, Watch Commander and on duty patrol personnel simultaneously through Central Lane Communications
2. Initiate movement of all prisoners to an area of safety through the utilization of an emergency plan.
3. Begin fire suppression procedures as applicable.

(b) Responding patrol officers under the direction of the Prisoner Processing Area Supervisor should be responsible for:

1. The evacuation of prisoners
2. Obtaining medical services as needed
3. Securing prisoners in a temporary holding area
4. Arranging transportation of prisoners to the County Jail or other Temporary Holding Facility as necessary
5. Initiating an investigation concerning the origin of the fire along with filing necessary reports

(c) The Facility Manager, in coordination with the Fire Department and qualified first aid/CPR instructional personnel, shall oversee the training of all department personnel and ensure that they are familiar with:

1. The Prisoner Processing Area policy and procedures; and
2. Fire safety and evacuation plan including the use of the fire extinguisher

(d) The Fire Marshal should make annual inspections of the Prisoner Processing Area.

900.6 EVACUATION OF PRISONER PROCESSING AREA

If an evacuation of the Prisoner Processing Area becomes necessary, the following should be considered:

900.6.1 PRIMARY CONCERNS

- (a) Safety of public
- (b) Safety of department personnel
- (c) Safety of prisoners

(d) Security of prisoners

900.6.2 NOTIFICATION

(a) Watch Commander

(b) All available sworn personnel

(c) Fire Department

(d) Medical aid

(e) Facility Manager

(f) Facility Administrator

900.6.3 EMERGENCY EVACUATION

When time permits, all prisoners will be restrained, as deemed necessary by the officer conducting the evacuation. The evacuation will be conducted in an orderly fashion by one of the routes posted in the Prisoner Processing Area.

900.6.4 EVACUATION FORMATION AREA

All prisoners will form in the designated location where they will be held until the Prisoner Processing Area can again be safely occupied, or as in the case of an emergency of a long duration until they can be transported to another facility.

If possible, juveniles are to be kept separate from adult prisoners, and females from male prisoners.

Only after the safety and security of the prisoners is assured will personnel, not detailed to prisoner security, participate in fire suppression or other emergency activities.

900.6.5 CITY WIDE OR REGIONAL DISASTERS

In cases of Citywide or regional disasters, the Watch Commander may authorize the release of prisoners detained for misdemeanors or felonies involving property crimes only. Every available effort will be made to continue the custody of violent felons or felons accused of violent crimes to ensure the safety of the public.

900.6.6 FIRSTAID/ PROFESSIONAL MEDICAL ATTENTION

As necessary, evacuating personnel will apply first aid to those prisoners injured as a result of the emergency or injured during the evacuation procedure until professional medical aid arrives to assist.

900.6.7 REPORTS

The Watch Commander will ensure that any emergency evacuation of the Prisoner Processing Area is documented and that copies of those reports be forwarded to the Prisoner Processing Area Manager and Administrator.

900.7 PRISONER TELEPHONE CALLS

Every prisoner, whether adult or juvenile, detained in the Prisoner Processing Area shall be entitled to the use of a telephone.

There is no obligation for the officer to make a call on a prisoner's behalf - for example in the case of a person that is so intoxicated that he or she cannot make a call. An officer is not required to wake an intoxicated person after booking so that they may complete a call.

Prisoners should be given sufficient time on the phone to contact whomever he/she desires and to arrange for necessary items because of his/her arrest. The phone calls are not intended to be lengthy conversations and the officer may use his or judgment in determining the duration of the calls.

900.7.1 TELEPHONE CALL PROCEDURES

~~All long distance calls must be made collect, unless specifically authorized by a supervisor. Charges cannot be made to third party numbers, motels, hotels, places of business or to credit cards.~~ Prisoners may not participate in three way or conference calls. Directory assistance will be limited only by the limitations imposed by the telephone company (Oregon Administrative Rules 2911300006). If a call cannot be completed because there is no answer or a line is busy, the prisoner must hang up and try again later.

Comment [FTA4]: W/ VOIP no longer needed

As set out in Oregon Administrative Rules 2911300020, calls may be monitored for security purposes. Directly above each group of monitored telephones, a sign shall be posted stating in English and Spanish "Phone calls are subject to being monitored and recorded".

Calls between a prisoner and an attorney, court or court official, legal aid bureau or other agency providing legal services, ~~or any elected or appointed government official~~ will not be monitored. Employees will place the telephone call and verify the identity of the person called. The employee placing the call shall leave the immediate area where the call is being placed; however, the prisoner may be kept under visual supervision by staff throughout the duration of the call.

Comment [FTA5]: Lexipol wording. Per DA's Office doesn't apply to Oregon

Calls normally should not be terminated before a reasonable time limit, except when the nature of the conversation or the conduct of the inmate:

(a) Threatens or plans illegal action, or

(b) Plans activities which violated facility rules, endangers security or endangers the safety of another human being, or

(c) Disrupts the operation of the facility

900.8 HANDLING OF PRISONER'S PROPERTY

Officers shall take care in the handling of prisoner's property to avoid discrepancies or losses.

No property belonging to a prisoner will be brought to the Prisoner Processing Area that has not been inventoried pursuant to Policy 902.

In addition, officers will remove and secure prisoner's shoes (or shoe laces), belt, necklaces or other property that can be used as a weapon, implement of escape or be used to harm themselves or others.

Any personal property belonging to the prisoner shall be placed in a property bag, and placed in the temporary property locker. The prisoner's name will be written on the bag and the bag should be sealed with evidence tape pending release upon the disposition of the prisoner.

Property belonging to the prisoner, but retained by the officer as evidence, shall be booked according to procedures. The prisoner shall be advised that such property will be kept as evidence and, the officer will issue the prisoner a receipt.

900.8.1 VERIFICATION OF PRISONER'S MONEY

All money belonging to the prisoner shall be counted in front of the prisoner. All money should be placed in a separate envelope and sealed. When possible, the prisoner should initial the dollar amount on the envelope. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated, but not added to the cash total. Rings and other jewelry of apparent value or small enough to be easily lost should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added to the cash envelope, the officer making such change shall enter the amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

900.8.2 RELEASE OF PRISONER'S PROPERTY

Release of any prisoner's property to any person requires the recipient's signature on the appropriate form. Any request for release of property by a prisoner must be made in writing on the booking sheet.

When a prisoner is released from custody, all property will be returned to him/her and he/she will be required to sign the back of the booking sheet.

If a prisoner is released to the court or an officer of another agency, all property will be released to that officer who will be required to verify and sign for the property. The officer

transporting prisoners to court is required to obtain the receiving officer's signature on the booking form as notice of receipt of the prisoner's property.

Any alleged shortage or discrepancy shall be brought to the attention of the Watch Commander who will interview the prisoner claiming the shortage prior to his/her release. The Watch Commander shall ensure that a search for the alleged missing item(s) is complete and shall attempt to prove or disprove the claim. A written claim by the prisoner shall be requested where the discrepancy cannot be resolved.

900.9 PRISONER PROCESSING AREA PROCEDURES

900.9.1 SECURITY

(a) Officers weapons may be secured in the gun lockers outside the entrance to the Prisoner Processing Area. An exception may occur only during emergencies.

(b) Prisoner Processing Area doors are to be kept locked at all times except during routine cleaning when no prisoners are in custody or in the event of an evacuation.

(c) Cell doors are to be locked at all times when prisoners are detained in the facility.

(d) No personnel shall smoke at any time while in the detention area. No prisoner shall be allowed to smoke or possess smoking materials in that area.

(e) Restraint devices such as handcuffs, flex cuffs, Belly chains and leg restraints will be used in accordance with existing department policy.

(f) Use of the leg restraint device or other restraints will only be used upon approval of the Watch Commander and in accordance with Policy 306.

(g) All personnel shall comply with all department use of force directives, including Policy 300, incorporated herein.

(h) Prisoners should be allowed to take prescribed medications. All medications must be in the original packaging with the prisoners name on the prescription label. Medical advice should be sought if the officer has any concerns allowing a prisoner to take medications.

Comment [FTA6]: Added wording 05/16/12 PSRC meeting

900.9.2 ATTORNEYS

(a) Attorneys who need to interview a prisoner should do so inside the secure interview room located inside the Prisoner Processing Area.

(b) Both the attorney and prisoner should be searched for weapons prior to being admitted to the secure interview room and again after leaving.

(c) Attorneys must may be required to produce a current Oregon BAR card as well as other matching appropriate identification if their identity is unknown.

Comment [FTA7]: Added wording from 05/16/12 PSRC meeting.

(d) Interviews between attorneys and their clients shall not be monitored or recorded.

900.9.3 RELEASE OF PRISONERS

(a) The Prisoner Processing Area should be inspected for damage prior to the release or transportation of any prisoner.

(b) Any damages should be noted and, if necessary, an additional crime report completed. If additional charges are warranted they will be made. Photographic evidence should be obtained and documented to support additional charges.

(c) Prisoners should be required to clean cells prior to release or transportation. If a prisoner refuses, he/he may not be compelled to clean up nor may his/her release be delayed to accomplish this.

(d) Prisoners shall be released in accordance with state law. The releasing officer will be responsible for the following:

1. All property not retained as evidence or contraband shall be returned to the prisoner.
2. The appropriate Prisoner Processing Area Log will be finalized by transmitting via radio the name of the prisoner and reason for the release.
3. The prisoner being released will be escorted from the Prisoner Processing Area and police facility by a department employee. At no time will a released prisoner be allowed in any secure area of the station without personal supervision by an employee.

900.9.4 DEATH OR SERIOUS INJURY OF A PRISONER

In the event of a serious injury or death of a prisoner while in custody of this department, the Chief of Police shall be notified, via the Chain of Command. The Chief of Police will designate whom or what agency will conduct the investigation. The investigation will be launched immediately and the Prisoner Processing Area will be secured as a crime scene under the direction of the investigating authority. This investigation will be conducted as a criminal investigation, but other administrative investigations may ensue, pursuant to Policy 1020. If force had been used on the prisoner at the time of their arrest, or in the Prisoner Processing Area, the investigation will be conducted pursuant to Policy 301 and Policy 310

POLICY
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Eugene Police Department



PSRC TRACK POLICY

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Property and Evidence

804.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

804.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence – Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

EPR – Evidence/Property Report - Specific report form for the documentation of all property handled by EPD that requires reporting. The form is also used to track storage location and status of all property that is booked into Property Control Unit (PCU).

Safekeeping – Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Found Property – Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

Unclaimed Property - personal property that was seized by the Eugene Police Department as evidence, abandoned property, found property or stolen property, and that has remained in the physical possession of the Eugene Police Department for a period of more than 60 days following conclusion of all criminal actions related to the seizure of the evidence, abandoned property, found property or stolen property, or conclusion of the investigation if no criminal action is filed.

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804.3 PROPERTY HANDLING

Any employee who first comes in possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the EPR. Care shall be taken to maintain the chain of custody and integrity for all evidence. When not specifically addressed by this manual, collection and

handling of all evidence and property should follow the guidelines established [in the Property Control Unit's Packaging Manual](#).

[\(Link to be added to Packaging Manual on the I drive\)](#)

An employee who receives items of property or evidence from PCU or from another employee shall sign the EPR after verifying that the items you are receiving match those you are signing for.

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Employees will provide a receipt for all items of property or evidence that are received or taken from any person. If no person is present, and the property or evidence is removed from private property or a vehicle, the employee will leave a receipt prominently placed on the private property or vehicle.

Found Property: Items that are accepted by EPD as found property will normally be booked into PCU or a Temporary Property locker.

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When the ownership of found property can be readily established property may be released to the owner without the need for booking.

- A report must be written if the value of the property exceeds \$100. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).
- Supervisors at common points of public contact where property is commonly turned in (for example, Records, Sub-stations) may establish appropriate practices for short term storage of property to only ensure the security of the property as well as facilitate its efficient return to the rightful owner.

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Found property with an estimated value of \$100 or less (ORS 98.005 Rights and Duties of Finders and Owners) will not be accepted as Found Property by EPD, unless:

Comment [cepdrt1]: Committee request to establish standard for acceptance tied to Finder's Law

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- There is a reason to believe that the item is stolen.
- The item(s) include identification, credit cards or other property that is readily used to commit identity theft
- The item(s) include firearms
- The item(s) include contraband that cannot or should not be readily disposed of (an example would be an unlawful knife or narcotics)

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804.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. PCU has an absolute right of refusal of improperly submitted, documented, or packaged, or if any item of property poses a safety hazard. PCU will notify the submitting employee of the problem and employees are expected to respond at the earliest practical time to rectify the problem.

Only one case number can be utilized for items submitted. If additional case numbers are related to this case, they should be listed under the RC/ heading

Property may be booked in the following ways:

(a) Submitted directly to PCU

(b) Held in Temporary Property lockers, when:

- There is a large amount of property requiring cataloguing that will take an extended period of time and the intent is to either return it to an owner or submit it permanently to PCU, or both.
- Property has been checked out of PCU for use in court or investigative purposes
- The property consists of electronic implements (such as computers or cell phones) where the intent is to have the items forensically examined. This submission must have prior approval of the Forensic Computer Examiner
- The Temporary Locker number shall be recorded on the EPR.

Employees booking property at PCU shall observe the following guidelines:

a) Normally, items are submitted to the compartmented central evidence locker in the main property room.

b) The cage at PCU should be used, rather than a locker, for:

- items too large to fit in a locker (e.g., bicycles);
- items that are offensive, odorous, or otherwise likely to contaminate property or the environment of the PCU; or
- items such as bedrolls, backpacks, and camping gear.

c) Wet, bloody clothing, sheets or other articles must be hung up to dry in the blood-drying room before submission to the evidence lockers.

d) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.

a) Items belonging to different owners must be listed on a separate EPR or itemized per owner on the EPR

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- b)e) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
- e)f) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- d)g) Place the case number in the upper right hand corner of the package or envelope bag.
- e)h) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
- i) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.

Employees booking property into Temporary Property Lockers shall observe the following guidelines:

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a) The following items shall NOT be stored in Temporary Property Lockers:

- Drugs
- Hazardous materials
- Bio-hazards
- Flammables
- Explosives
- Perishables
- Money (unless specifically authorized by a Supervisor)

b) Items may only be stored for a MAXIMUM of 5 calendar days

c) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or makings.

- This is not necessary if property has been checked out from PCU for court or investigative reasons. In that case, employees will update the storage location in the Evidence Tracking System.

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d) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property

- This is not necessary if property has been checked out from PCU for court or investigative reasons

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e) Log the property into the Evidence Tracking System via computers and scanners located near the Temporary Property Lockers

f) The key to the locker will be kept by the employee booking the property. The key will be retained in a locked location so that the employee can testify as to the security of the evidence contained in the locker. Employees will retain the key until the property is removed. This will allow you to re-access the property. Once the property in that case has reached final disposition (stored at PCU or Returned to Owner) the key will be left in the door.

Employees storing property in Temporary Storage Lockers, which was checked out of PCU for court or investigative purposes, shall observe the following guidelines:

- a) Items may only be stored for a MAXIMUM of 5 calendar days
- b) Supervisors may approve temporary storage for a longer period of time, such as when computers are being stored pending forensic examination
- c) Log the property storage location in the Evidence Tracking System using the computers and scanners located near the Temporary Property Lockers

Management of Temporary Storage processes:

- Property Control Unit will retain a Master key for the Temporary Storage lockers and will assist with administrative audits/inspections. Normally, they will not be involved in moving property from temporary storage to PCU.
- Unit Supervisors who receive notification that property has remained in the Temporary Storage Locker in excess of the 5 days will work with the employee(s) to move the property to PCU or return it to owner as soon as practicable.
- The Investigations Section Lieutenant will also conduct a periodic audit (at least once per quarter) to ensure compliance with the policies relating to temporary storage of evidence or property.

804.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs (including paraphernalia as defined by Oregon Revised Statutes 475.525(2) shall be booked separately using a separate Property record.

The officer seizing the narcotics and dangerous drugs shall place them in the designated locker accompanied by two copies of the form for the Records Section and Detectives. The remaining copy will be detached and submitted with the case report.

804.3.3 EXPLOSIVES/HAZARDOUS SUBSTANCES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The Explosive Disposal Unit (EDU) will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives. In the event of military ordnance, the closest military unit shall be notified and will be responsible for the removal of the device.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property specialists are responsible for contacting EDU, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

804.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

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- a) Bodily fluids such as blood or semen stains shall be air dried prior to booking and packages should be labeled with a biohazard sticker.
- b) License plates found not to be stolen or connected with a known crime, should be released directly to the Property Specialist or placed in the designated container for return to the Department of Motor Vehicles. No formal property booking process is required.
- c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the Property Specialist, or placed in the bicycle storage area until a Property Specialist can log the property.
- d) All cash shall be counted in the presence of an [officer/employee](#) and the [sealed in a see-through plastic bag](#) which will be initialed by the booking officer and the witness. The Watch Commander shall be contacted for cash in excess of \$2,500 [and PCU will be contacted or called in to directly accept the cash.](#)

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

804.3.5 COLLECTION AND PRESERVATION OF DNA EVIDENCE

Because DNA evidence can play a key role in establishing guilt or innocence it is important that such evidence be collected, handled, and preserved in a manner that will maintain its integrity for future testing. Unless impracticable to do so, officers should collect samples of all biological evidence that may reasonably be used to incriminate or exculpate any person as part of any criminal death investigation or a sex crime listed in ORS 181-594. The Property Specialist will be responsible to ensure that biological evidence is preserved in an amount and manner that is sufficient to develop a DNA profile.

Collection and preservation should follow established protocols as outlined in the Property Control Unit's Evidence Packaging Manual.

804.3.6 COLLECTION AND PRESERVATION OF SAFE KITS

Under current law, victims of sexual assault may seek medical assessment and choose not to make a report to law enforcement, yet still have evidence collected and preserved. The Eugene Police Department will collect and maintain the chain of evidence for all Oregon State Police Sexual Assault Forensic Evidence Kits (SAFE Kits) and any associated evidence collected by medical facilities in this jurisdiction for victims of sexual assault, regardless of where the assault may have occurred. Victims who choose to remain anonymous and not make a report shall not be required to do so (ORS 147.397).

When a medical facility notifies this department that evidence of a sexual assault has been collected [from an anonymous victim](#) and a SAFE Kit is available, the assigned [officer](#) shall be responsible for the following:

- a) Respond promptly to the medical facility to retrieve the evidence.
- b) Provide the case number to a responsible representative of the medical facility, which will be provided to the victim. The case number will be used to identify all associated evidence so that a chain of evidence can be maintained in the event the victim later decides to report the assault.
- c) Ensure that no identifying information regarding the victim, other than the case number, is visible on the evidence packaging.
- d) Prepare and submit an EPR and book the evidence in accordance with current evidence procedures.

SAFE Kits collected for victims whose identity is not disclosed should be maintained in the same manner as other SAFE Kits, but should not be opened until or unless the victim reports the assault. Opening SAFE Kits may compromise the admissibility of evidence in the event of a prosecution.

Where the identity the sexual assault victim is not disclosed, a SAFE Kit and related evidence should be retained for 25 years, unless directed otherwise by an Investigations Division Supervisor. However, in all cases such evidence shall be retained for a minimum of 180 days (ORS 147.397).

804.3.7 RETENTION OF BIOLOGICAL EVIDENCE

The Property Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- a) The defendant
- b) The defendant's attorney
- c) The appropriate prosecutor
- d) Any sexual assault victim
- e) The Investigation Division Supervisor.

Biological evidence shall be retained for a minimum period established by law (ORS 133.707), the Property Supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made -by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 6 months 90 days of the date of notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forward to the Investigation Division Supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief and the head of the applicable prosecutor's office.

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Comment [FTA3]: PSRC pointed out typo citing wrong ORS

Comment [FTA4]: PSRC wanted 6 months and not 90 days

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804.4 PACKAGING OF PROPERTY (see also Appendix A)

Certain items require special consideration and shall be booked separately as follows:

- a) Narcotics and dangerous drugs

- b) Firearms (ensure they are unloaded and booked separately from ammunition). A flex cuff or similar device should be inserted through the chamber, barrel, or cylinder whenever possible.
- c) Property with more than one known owner
- d) Paraphernalia as described in Oregon Revised Statutes 475.525(2)
- e) Fireworks and other hazardous materials
- f) Contraband
- g) Cash over \$2,500.

804.4.1 PACKAGING CONTAINER

Employees shall package all property in a suitable container available for its size. Knife boxes should be used to package knives. All packages containing evidence must be sealed with evidence tape, initialed, and dated across the seal.

Needles or syringes will normally be disposed of in a sharps container and will not be submitted to the Property Room however when required for evidence in a serious crime or in a major investigation, a syringe tube should be used for packaging.

A property tag shall be securely attached to the outside of all items or groups of items packaged together.

804.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker, accompanied by two copies of the property record. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

804.5 RECORDING OF PROPERTY

The Property Specialist receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the EPR.

An inventory number shall be obtained for each item or group of items upon booking the property into the Evidence Tracking System. This number shall be recorded on the property tag and the EPR.

Any changes in the location of property held by the Eugene Police Department shall be noted on the EPR and logged into the Evidence Tracking System.

804.5.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the [EPR](#) shall be completed to maintain the chain of possession. No evidence is to be released without first receiving written authorization from the assigned investigator, officer, or his/her supervisor.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the Property Specialist. This request may be filled out any time after the booking of property or evidence.

804.5.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY [OR COURT](#)

The transporting employee will check the evidence out of property, indicating the date and time on the [EPR](#) and, [in the case of laboratory transmittal](#) the request for laboratory analysis.

The Property Specialist releasing the evidence must complete the required information on the [EPR and Evidence Tracking System](#).

The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

When transporting evidence to court, an Evidence Transfer Form will accompany the evidence when checked out of PCU. Upon transferring custody of the evidence, the officer will clearly write the name of the individual accepting custody (for example the Deputy DA) and obtain a signature on the Evidence Transfer Form. That form will be returned to PCU as soon as practical for inclusion with existing EPR's for that evidence.

804.5.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the [EPR](#), stating the date, time, and to whom released.

The Property Specialist shall obtain the signature of the person to whom property is released, and the reason for the release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded on the [EPR](#), indicating date, time, and the person who returned the property.

804.5.4 RELEASE OF PROPERTY

Property may be released to a verified owner at the discretion of the Property Specialist without further authorization. A Property Specialist shall release the property upon proper identification being presented by the owner for which an authorized release has been

received. A signature of the person receiving the property shall be recorded on the [EPR](#). After release of all property entered on the [EPR](#), the [EPR](#) shall be forwarded to the Records Section for filing with the case. If some items of property have not been released the [EPR](#) will remain with the PCU. Upon release, the proper entry shall be documented in the [EPR](#).

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Property not claimed within 30 days after notification of owner of its availability for release will be auctioned, destroyed, or disposed of in accordance with these procedures and existing law.

Unless the owner is known, found property and property held for safekeeping will be held for at least [60](#) days.

Comment [FTA5]: PSRC req I check on these time limits. Limits changed to mirror code change from 02/12

804.5.5 RELEASE OF EVIDENCE

Evidence may only be released with the authorization of the DA's office and the officer or detective assigned to the case.

Once a case has been adjudicated or passed the statute of limitations for prosecution, a Property Specialist will request a disposition authorization from the DA's office and the assigned officer or detective. Care should be taken to ensure there are no outstanding warrants for suspects or additional defendants for the same case prior to authorizing release.

Release of evidence shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the assigned officer or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Once evidence has been authorized for release and is no longer needed for any pending criminal cases, it shall be considered property and released or disposed of in accordance with those procedures.

804.56.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Eugene Police Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Eugene Police Department may wish to file an interpleader to resolve the disputed claim (Oregon Rules of Civil Procedure § 31).

804.56.7 CONTROL OF NARCOTICS & DANGEROUS DRUGS

The Property Control Unit will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department.

804.7- DISPOSITION OF PROPERTY

The Property Control Unit Supervisor is responsible for the development, maintenance and review of PCU procedures relating to the disposition of property. These procedures will include procedures regarding the safekeeping, processing and processing for procuring unclaimed property for use by the Department or the City. These procedures will provide for the protection of the property, employees handling the property, the Department and the City until such time as the property is returned to a rightful owner, procured or sold.

All property not held for evidence in a pending criminal investigation or proceeding, and held for 90 days or longer (60 days or more, plus 30 days after notice), where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property Specialist shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from a supervisor or detective. Oregon Revised Statutes 98.245 and 98.336 govern the disposition of property held by law enforcement agencies.

Disposition of unclaimed property may consist of:

- a) Destruction
- b) Sale at public auction
- c) Procurement (Retention for public use)

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804.7 PROPERTY ROOM SECURITY

Access to the Property Room is limited to Property Specialists unless visitors are logged in and out, including the time, date and purpose of entry. All personnel entering the Property Room must be accompanied at all times by a Property Specialist.

Annual independent audits will be completed of the Property Room function with an audit report to the Chief of Police.

804.8 INSPECTIONS OF THE EVIDENCE ROOM

- a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
- c) An annual audit of evidence held by the department shall be conducted by a Division Manager appointed by the Chief of Police who is not routinely or directly connected with evidence control.
- d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual(s) not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

Eugene Police Commission Outreach Toolkit

In 2011, the Eugene Police Commission embarked upon a comprehensive outreach effort to gauge the community needs and concerns related to a proposal by the Eugene Police Department to close a community police station. A committee of the Commission spent several months meeting with members of the community, neighborhood groups, business leaders, non-profit organizations and staff directly affected by the closure. The result was a set of recommendations rooted firmly in the expressed concerns of the public. In addition to developing the recommendations, the Commission sought to capture the steps taken and documents produced, to begin to create a toolkit to help the Commission or the Department on subsequent important outreach efforts. While every step does not need to be taken in every situation, this can serve as a check list of items to consider in every case.

1. Define the project
Clearly define the decision or options known.
Clearly define the timeline consistent with externally established deadlines
2. Identify all possible affected parties
Who are the people affected by this?
3. Identify unique strategy to communicate with each segment of the community
What are the specific tools that can be used with each segment? Social media? Public meetings? Small discussions? Flyers?
Use multiple formats throughout the process, noting what is successful
4. Document all media efforts
Create running tally of meetings, comments, media pieces
5. Document and report back all comments received
Indicates and documents that all comments were heard, and considered. Helps capture breadth of comments, both the loudest and last, as well as the quiet and first comments.
6. Consider Triple Bottom Line
Evaluate and provide the public with the analysis of the fiscal impact of any proposal, as well as the sustainability and social impacts.
7. Share findings
Share information throughout the process with others, to gain and maintain credibility and support for project
8. Seek status reports on results
Obtain periodic status reports for the work and recommendations of the public, until the project is complete.
9. Report back to all who provided comments
Provide feedback to people who invested their time, to let them know what happened with their comments.
Check back with the stakeholders after the project is complete to gather their perceptions after the project is complete.
10. Debrief the process, document what worked well and what could be improved.

Outreach Toolkit Appendix

April 12, 2011, Press Release Press Release jointly released between Police Commission and Eugene Police

April 13, 2011, FAQ Frequently Asked Questions providing responses to questions. Crafted for a specific audience.

April 15, 2011, Staff Memo Identifies significant number of meetings scheduled, providing an ongoing record of public outreach efforts.

May 10, 2011, Staff Memo Outlines important deadlines and establishes work plan to meet deadlines.

May 18, 2011, Comment Collection Form Custom made form to capture and categorize wide array of public comments received.

Undated, Minutes of the Outreach Committee Form Custom made form to facilitate recording of meeting, pursuant to public meetings laws, empowering community to hold community meetings and be in compliance with relevant laws.

Undated, Comments Received Regarding the Monroe Street Station through June 30 Summary of all comments received. Provides opportunity for public to see that all comments were received and considered. Documents all input received.

July 6, 2011, Triple Bottom Line Short Form Completed short analysis of Triple Bottom Line, to consider the social impact and sustainability impact, in addition to the economic impact.

November 11, 2011, E-mail Four months after recommendations were finalized and forwarded, all stakeholders were sent a summary of the recommendations, a report on the Department's status on each item, and offered the opportunity to meet to discuss further.

February 15, 2012, Memo to Mayor and City Council Because of thorough documentation of the outreach process, a follow-up summary to the Mayor and City Council was easily compiled. Provided information about thorough outreach effort undertaken.



Eugene Police Commission

777 Pearl Street, Room 107

Eugene, OR 97401

541-682-5852

Below are seven questions that will help the Commission gauge its effectiveness and the perception of its effectiveness within the Eugene Police Department. Your responses will be strictly confidential. Please complete the survey, print out and return to Carter Hawley, Police Analyst.

Background

The Mission of the Eugene Police Commission is to recommend to the City Council, the City Manager, the Police Department, and the people, the resources, preferred policing alternatives, policies and citizens' responsibilities needed to achieve a safe community. The Commission strives to create a climate of mutual respect and partnership between the community and the Police Department that helps achieve safety, justice and freedom for all people in Eugene.

- 1. Have you ever interacted with the Police Commission or a member of the Commission?**
- 2. How long have you worked for the department?**
- 3. Do you believe citizen input is beneficial in policy review?**
- 4. Among the policies the Police Commission has reviewed, it recently reviewed the Pepper Spray Policy, and Vehicle Pursuit Policy, which have been implemented by the Department. What changes affected you? How?**
- 5. How can the Police Commission support the Eugene Police Department?**
- 6. What do you feel is the greatest public safety concern in the community?**
- 7. How can the Police Commission increase communication understanding and trust between EPD and Community?**

Eugene Police Commission FY 2013 TENTATIVE SCHEDULE – as of 6/8/2012

July 2012	September 2012	October 2012
<div>Routine Items - 80 Committee Reports -20 Resources – 50 Gang Symposium update -30 Hate Crimes / gang symposium -10</div> <div>City Council Wrk Session – Jul23</div> <div>Review all policies Jail Policy</div> <div>Anonymous Survey</div>	<div>Routine Items – 80 Committee Reports - 20 Tour of 300 CC - 40 Bylaws – 45 Gang Symposium Update -10</div> <div>CRB Joint Meeting</div> <div>Jail Policy</div> <div>Anonymous Survey</div>	<div>Routine Items - 80 Committee Reports – 20 DPSZ Comments and Recommendation-60</div> <div>Gang Symposium</div> <div>Jail Policy -Safety of people arrested in Car</div> <div>TBD</div>
November 2012	December 2012	January 2013
<div>Routine Items - 80 Committee Reports - 10 Approval of Jail policies -60 Develop PSRC prioritized list</div> <div>Finalize all policies for Commission Bathroom Policy</div> <div>TBD</div>	<div>Routine Items - 80 Committee Reports - 10 Improve Communications - 60</div> <div>Begin work on Lexipol priority policies</div> <div>TBD</div> <div>Scope State of Criminal Justice</div>	<div>Routine Items - 80 Committee Reports - 20 Review vehicle purchase policy-50</div> <div>Lexipol policies</div> <div>TBD</div> <div>Scope State of Criminal Justice</div>

Police Commission

Outreach Committee

Policy Committee

Other Committees

Eugene Police Commission FY 2013 TENTATIVE SCHEDULE – as of 6/8/2012

February 2013	March 2013	April 2013
<div>Routine Items – 80 Committee Reports – 10 Domestic Violence - Scope Discuss agencies who will receive policies - 20 PSRC Policy Approval - 45 (tentatively scheduling every 3 mos)</div> <div>Lexipol Policy</div> <div>TBD</div> <div>Scope State of Criminal Justice</div>	<div>Routine Items – 80 Committee Reports – 20 Domestic Violence – discussion with community agencies - 60 Domestic violence –what’s working and what’s not -30</div> <div>State of Criminal Justice Forum</div> <div>Lexipol Policy</div> <div>TBD</div>	<div>Routine Items – 80 Committee Reports -20 Confirm Campus Forum Plan - 30</div> <div>Forum on Campus</div> <div>Lexipol Policy</div> <div>TBD</div>
May 2013	June 2013	Parking Lot & Questions
<div>Routine Items - 80 Committee Report - 10 Review Vehicle purchase policy -45 PSRC Policy Approval Retreat Recap</div> <div>RETREAT - May 4?</div> <div>Lexipol Policy</div> <div>TBD</div>	<div>Routine Items - 80 Committee Report -20 Work plan Review – 50</div> <div>Lexipol Policy</div> <div>TBD</div>	<p><u>1 Vote</u> Approach policies from com. values Broken window theory Continue Hate Crimes Conference Discuss collab.w/ social services National night out One meeting in community center</p> <p><u>0 Vote</u> Respond to community incidents – discuss policies that are involved Review laws that affect homeless</p> <p><u>?</u> Outreach develop - rec for improving communications - for forum on campus?</p> <p>NOTES: <u>Routine Items - 80</u> Agenda review – 5 Minutes approval – 5 Public forum -10 Comments from Chair and Items -20 Chief’s Report -20 Break - 10 Closing -10</p>

The City of Eugene has issued notice that the City intends to negotiate a contract with Greenhill Humane Society for public animal shelter and adoption program services. Greenhill's proposal meets the criteria set forward by the City, in particular addressing the City's commitment to maintaining a high standard for animal safety and welfare for shelter, adoption and related services, and a high live release rate.

City animal services are being transitioned from the current service model in which Lane County provides all animal services under a contract with the City. Beginning July 1, the public shelter facility on West 1st. Avenue will be operated by Greenhill, and the organization will provide public sheltering, lost and found and adoption services. Also on July 1 the City of Eugene animal code enforcement and field services and pet licensing will be provided through the Eugene Police Department.

Greenhill Humane Society's proposal demonstrated that the organization is well-qualified to operate shelter and adoption program services. It is a 501c3 nonprofit agency and has provided animal welfare and sheltering services to the Eugene-Springfield area since 1944. The organization is a member of the National Federation of Humane Societies (NFHS), and Greenhill's Executive Director currently serves on the NFHS Best Practices Committee and is one of only four Certified Animal Welfare Administrators in Oregon. Greenhill follows the standards of care recommended by the Association of Shelter Veterinarians and is familiar with large-scale animal shelter operations. Greenhill achieved an overall animal live release rate of 93 percent in 2011. The organization works with hundreds of volunteers and foster families for animals in its care.

Although it will be operated by Greenhill, the public shelter and adoption program will continue to be separate from the nonprofit shelter on Greenhill Road that Greenhill Humane Society has operated for many years. The two shelters will not be combined. The public shelter will continue to hold only stray and impounded animals just as it has under County operation. The population of animals in the public shelter and adoption program is different from that found in most nonprofit shelters, and often includes more difficult to place animals. Greenhill's proposal recognizes the challenges of successfully operating the public shelter and adoption program with what at times can be a more difficult population of animals.

The City is now establishing with Greenhill the details of the contract for operation of the public shelter and adoption program. The contract will emphasize the importance of providing for the animals' health and welfare and continuing to achieve a high live release rate for animals in the program. Under the contract Greenhill will also continue to operate the current community volunteer and foster family programs which provide essential help to the animals at the public shelter facility. The City will exercise oversight of the public shelter program and adoption services provided under the contract, and will require ongoing detailed reporting of the public shelter program outcomes in order to maintain quality and ensure transparency. Program outcomes will be posted on the City's animal services website. After transition, City animal services will have the oversight of the existing Police Commission, which provides oversight of the activities of the Eugene Police Department.

June 1, 2012



Community Partners
Lane County, Oregon

RE: Sobering Services

Dear Community Partners,

On behalf of the Lane County Mental Health Advisory/Local Alcohol and Drug Planning Committee (MHA/LADPC), we want to heighten your awareness regarding the devastating implications associated with the imminent loss of Willamette Family Buckley Center's sobering services. The MHAC/LADPC is statutorily charged with advising the county's mental health authority (the Director of the Department of Health & Human Services) on behavioral health issues, including planning and establishing priorities for addiction services and supports. The committee has key representation that spans a diverse spectrum of community members, including primary and behavioral care providers and consumers, hospital and insurance company staff, developmental disabilities advocates, educators, and individuals and family members whose lives are impacted by psychiatric diagnoses, developmental disabilities, and addiction.

On April 26, 2012, the Director of Buckley Services, Tom McKee, attended our meeting and provided information regarding an unexpected \$200,000 funding shortfall, which will force Willamette Family to discontinue its sobering services on July 1, 2012. Mr. McKee reported that, in addition to the Cities of Eugene and Springfield, all Law Enforcement agencies in Lane County and Local Hospitals are very concerned about this potential loss of an indispensable service. Compared with alternative venues, such as area emergency rooms and the Lane County Jail, funding Buckley Center's sobering services is the most economical way to deal with individuals who are intoxicated.

In addition to the increased risk that defunding sobering services would entail to public safety, as well its incalculable burden on stretched human service resources, a cost-benefit analysis demonstrates that investing in sobering services saves significant funding. By conservative estimates of \$1500 per ER visit, and knowing that sobering is a non-reimbursable service that may require medical detox services, the cost to hospitals is, at minimum, \$8.9 million. In Fiscal Year 2010-11, Buckley Center admitted 5,932 individuals for sobering services at a cost of \$280,000. With a comparative cost of \$280,000 vs. \$8.9 million, which is a 36:1 ratio (saving \$36.00 for every \$1.00 invested), it is easy to see that the continued funding of sobering services is not only fiscally prudent for Lane County, it also mirrors Oregon's efforts to reduce costs and improve health care for individuals and families.

The MHA/LADPC has voted to send this letter and to request you do everything within your power to ensure that Buckley continues to offer sobering services to the citizens of our community.

Respectfully submitted,



Jennifer Wells, Chairperson
Mental Health Advisory/Local Alcohol & Drug Planning Committee

And Alcohol and Drug Sub-Committee members:



Deborah Karin-Stötter, LMFT, CADC III

John Weatherly

Len Epstein, Ph.D.

cc: Tom McKee, CADC II, Director of WF Buckley Service