



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

June 18, 2025

12:00 p.m. CITY COUNCIL WORK SESSION

City Council Wednesday work sessions are held using virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

Meeting of June 18, 2025; Her Honor Mayor Kaarin Knudson Presiding

Councilors

Greg Evans, President
Alan Zelenka
Randy Groves
Matt Keating

Lyndsie Leech, Vice President
Jennifer Yeh
Mike Clark
Eliza Kashinsky

12:00 p.m. CITY COUNCIL WORK SESSION

1. **WORK SESSION: Police Auditor's Office and Civilian Review Board Annual Reports**
2. **WORK SESSION: Public Health Standards**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Police Auditor's Office and Civilian Review Board Annual Reports

Meeting Date: June 18, 2025
Department: Independent Police Auditor
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Lindsey Foltz
Contact Telephone Number: 541-682-5241

ISSUE STATEMENT

Interim Police Auditor Lindsey Foltz and the leadership of the Civilian Review Board are appearing before the City Council to present the 2024 Annual Report of the Independent Police Auditor's Office and the 2024 Annual Report of the Civilian Review Board for Council discussion and feedback.

BACKGROUND

The Eugene City Council appoints members to the Civilian Review Board and is the hiring authority for the Police Auditor. The Civilian Review Board and Independent Police Auditor's Office provide these reports to Council annually as required by City Charter and City Code.

[City Charter](#) Section 15-A(1) directs the Police Auditor to "prepare reports on complaint trends and police practices in general; Section 15-A(2) directs the Civilian Review Board to "provide reports and recommendations to the city council."

In addition, [E.C.C. 2.246\(7\)](#) requires the Civilian Review Board to prepare and present an annual report to the city council; requirements for the report are set out therein. [E.C.C. 2.454\(1\)\(h\)](#) directs the Auditor's office to develop and present annual public reports, with more specific requirements for the reports set out therein.

PREVIOUS COUNCIL DIRECTION

[May 8, 2024 Council Work Session](#)

At the May 8, 2024 City Council Work Session, Independent Police Auditor Leia Pitcher and the leadership of the Civilian Review Board appeared and presented the 2023 Annual Report of the Independent Police Auditor's Office and the 2023 Annual Report of the Civilian Review Board.

COUNCIL OPTIONS

Informational only.

AUDITOR'S RECOMMENDATION

None.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. 2024 Annual Report of the Independent Police Auditor's Office
- B. 2024 Civilian Review Board Annual Report

FOR MORE INFORMATION

Staff Contact: Lindsey Foltz, Interim Police Auditor
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Staff E-Mail: lfoltz@eugene-or.gov

Civilian Review Board 2024 ANNUAL REPORT



Staffed by the Independent Police Auditor's Office
101 E. Broadway, Suite 230 Eugene, OR 97401 541-682-5016
www.eugene-or.gov/CRB

Eugene Civilian Review Board 2024 Annual Report

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Introduction

Eugene City Code 2.246(7), which governs Eugene’s Civilian Review Board, requires the Board to “...prepare and present an annual report to the city council that:

- (a) Summarizes the civilian review board’s activities, findings and recommendations during the preceding year;
- (b) Assesses the performance of the police auditor;
- (c) Evaluates the work of the auditor’s office, including whether the office is functioning as intended.”

Mission Statement

It is the mission of the Civilian Review Board to provide fair and impartial oversight and review of internal investigations conducted by the City of Eugene Police Department into allegations of police misconduct, use of force and other matters that have an impact on the community. The Board will strive to build trust and confidence within the community and to ensure that complaints are handled fairly, thoroughly and adjudicated reasonably. The Board will encourage community involvement and transparency in order to promote the principles of community policing in the City of Eugene.

Letter from the CRB Chairs

We are pleased to present this annual report, which contains a summary of the work that the Civilian Review Board (CRB) undertook during 2024. The CRB is designed to provide transparency and help ensure public confidence in the police complaint process and by extension trust in law enforcement. As set forth in the ordinance, assessment of the Independent Police Auditor (IPA) is primarily achieved through CRB case reviews, discussed in public meetings, and reported out annually to the City Council. The Board evaluates the work of the IPA and reviews closed complaints to provide a community perspective about their intake, classification, investigation, and adjudication. As in years past, the bulk of this report centers around those cases reviewed by the CRB.

Despite the challenges presented by transitions in leadership and staff in the Independent Police Auditor’s Office (IPAO), the Civilian Review Board has continued its work without interruption. This underscores the professionalism and capabilities of the team who work in the office, and the resilience of the system and staff put in place by former Independent Police Auditor Leia Pitcher. Looking ahead, we look forward to working with the new Auditor once the Council appoints them, and hope they will be able to provide long-term stability and leadership that has been a hallmark of this office.

We have an engaged and thoughtful civilian review board that generously gives considerable personal time to evaluate the police oversight processes in Eugene. Our meetings are open to the public and provide an opportunity to openly discuss the complaint process and hear input from members of our community. Accepting public comment at all CRB meetings also allows members of the public who have filed complaints to request that the Board review their case at a future meeting. During 2024 we conducted all our public meetings in a hybrid format with an opportunity for public comment either virtually or in person. Recordings of the meetings and detailed minutes are also made available to the public. The CRB continued in its efforts to improve transparency and service to the broader community by greatly surpassing the required number of meetings. In 2024 the CRB held nine public meetings, reviewing eight cases classified

as allegations of misconduct, four cases that were classified for supervisor review, and one intake review. The intake review was undertaken at the request of a community member who wanted the CRB to publicly discuss the intake and classification of their complaint.

During CRB case discussion we endeavor to strike a balance between transparency and the confidentiality required to maintain public confidence in the system. Discussing complaints in public allows the community to learn about the complaint intakes, classifications, investigations, and determinations as they are discussed openly and critically. We do this while maintaining the confidentiality of the involved parties as required by the City Code and State law. As is longstanding tradition, CRB members continued to engage in respectful, rigorous, inclusive dialog during our meetings. We continue to strive to maintain courtesy regardless of differences in opinion or viewpoint, of which there are many.

When reviewing cases, we consider both the actions of officers (performance) and the expectations of action of officers (written policy). To this end, the IPAO was integral in explaining the issues at hand, compiling the extensive investigative files for CRB review, and in presenting the cases each month. As you will see in the case summaries and reviews set forth in this report, the CRB's work would be impossible without the diligent work by the IPAO and EPD Internal Affairs staff.

The use of body-worn and in-car videos are of critical concern to the CRB and are vital to the IPAO and EPD Internal Affairs in their work. Video footage allows for more precise investigations, particularly in situations where there is a question about an officer's conduct. In addition, video footage also allows the IPAO to better triage and classify complaints and systematically review uses of force and vehicle pursuits. Video has also surfaced misconduct and policy violations absent a citizen complaint.

Members of the CRB also review the body-worn and in-car video recordings during the process of reviewing cases. Our reviews are vastly improved by this technology. However, we are aware that the cameras record a limited perspective. A person who believes that they were not treated properly is describing their experience from the opposite or adjacent perspective of the officer's camera. During 2024 CRB members expressed ongoing concerns for the lack of body worn cameras for the Special Weapons and Tactics team (SWAT). We also reviewed two cases, one in February and one in March, related to officers who failed to activate their body worn cameras.

The case we reviewed in April involved eight allegations against one officer related to conduct and respectful work environment violations. The CRB expressed concern that this case was resonant with another case that they reviewed in 2023 involving a different officer, perhaps indicating a more pervasive cultural problem within the department rather than isolated bad actors.

We reviewed three cases in 2024 involving allegations that officers or supervisors used unreasonable force. Those cases were reviewed in August, October, and December. In two cases there was agreement between the IPA and the Chief of Police in terms of adjudication. In December there was disagreement, with the IPA recommending the allegation be sustained, while the Chief's final adjudication was that the behavior was within policy. When there has been disagreement in adjudications this past year it has been very helpful to have either Chief Skinner or Deputy Chief Adams present in the meeting to speak to their reasoning.

In addition to reviewing cases of alleged misconduct, the CRB engages in continuous learning associated with police practices, civil rights, the local criminal justice system, and interactions with vulnerable communities. The efforts in continuous learning have proven beneficial to the Board's overall approach to

its mission by ensuring a comprehensive understanding of relevant processes and community factors influencing various decision makers and affected parties.

The Board also considers and discusses current police policies and practices and, when appropriate, makes recommendations for review and revision. These policy concerns are sent to the Police Commission and the Police Chief through the CRB's appointed liaison who is also a voting member on the Police Commission.

We appreciate the support of the City Council, Mayor, the Independent Police Auditor and staff, the Eugene Police Department, and other community organizations that have provided training and support over the past year. The members of the Board are proud to participate in a process that continues to evolve and allows the community to better understand police work, while also presenting EPD leadership and officers with an opportunity to hear comments from community members in a thoughtful, and we hope, helpful forum. We look forward to ongoing, careful consideration of how we can improve community safety in Eugene and are committed to being partners in this effort. As we head into 2025, we will continue our work and are committed to ongoing improvement in the service of our community.

Sincerely,

José Cortez

2024 Board Chair

Carolyn Williams

2024 Board Vice Chair

Civilian Review Board Members Serving in 2024

Current Members:

Rick Roseta has practiced as a trial lawyer in Eugene for over 40 years. Most of his practice has included the defense of physicians, nurses, hospitals, attorneys, and other professionals in malpractice cases brought against them. Early in his career he handled matters involving State, County and City police conduct. He has tried over 400 civil jury trials to conclusion. He has served as a Circuit Court Judge Pro Tempore, primarily handling cases in Lane County Juvenile Court. He currently serves on the Board of Volunteers in Medicine, a non-profit provider of health care for uninsured, underinsured, and underserved members of the Eugene-Springfield community. Rick obtained his BS and JD degrees from the University of Oregon. He is married to Shannon; is the proud father of two adult children; and is a proud grandfather of two.

Noah Coon is a second-year law student at the University of Oregon, focusing on tribal law and criminal law. Born and raised in Alabama, he moved to the Pacific Northwest for school. Previously, he served as an AmeriCorps member through the RARE program where he worked with the City of Lebanon in Community Development. While there he also served on the steering committee to bring about Lebanon's first Pride Day. Noah is committed to increasing transparency of the legal system.

Monique Griffin was born and raised in Eugene. She is a pre-law student, attending the University of Oregon, majoring in sociology with a focus on crime, inequalities, and social justice. In addition to serving on the Civilian Review Board, Monique is a member of the Board of Directors for Bridges Oregon, a non-profit organization that serves Deaf, blind, Deaf-blind, and hard of hearing individuals statewide, advocating on behalf of victims of violent crime and connecting people to services.

José Cortez has a PhD in (Latinx) cultural studies and is an assistant professor at the University of Oregon. He brings more than 10 years of experience working in civic institutions in positions of community outreach. As the child of a migrant farm worker, and having grown up in the Pacific Northwest, he has a demonstrated commitment to civic institutions.

Carolyn Williams is a life-time Eugene resident. She left for college but returned right after graduation. Her career, thus far, has been in education, starting as a pre-school teacher locally, then serving as an English Education volunteer for the Peace Corps in Azerbaijan. When she returned from her service, she earned her Master of Arts in Teaching from Pacific University and has been working as a teacher (mostly in middle schools) for the past 12 years. She currently works at the University Career Center at University of Oregon as the campus Peace Corps recruiter.

Clay Neal is a 5th generation Oregonian, native Eugenic, and member of the Citizen Potawatomi Nation. From 2009-2014 he worked in the Portland Mayor's Office and the Portland Police Bureau - part of that time as the Director of Public Safety and Peacekeeping. In that role, he negotiated and oversaw the implementation of Police Bureau reforms related to the use of force, training, police bureau oversight and accountability, and community relationships. In 2015 Clay moved back to Eugene to attend the UO graduate program in Architecture. His work and research as an architect focuses on the relationship between the built environment, climate change, and equity.

Britni D’Eliso has lived in Eugene for 17 years, with her husband and two children. Since graduating with a MA in Clinical Mental Health Counseling from Bushnell University, she has worked as a professional in the behavioral health field for the past decade, with much of her work touching the intersection of the behavioral health and criminal justice systems. Britni is committed to the pursuit of equity and accessibility within the public healthcare sector, through systemic improvements and person-centered solutions.

Past Members:

We would like to express our deep gratitude to these former CRB members for their years of faithful service.

Bernadette Conover is a life-long Oregonian. She graduated from Portland State University with a degree in Administration of Justice and holds a law degree from Willamette University College of Law. She has lived in Eugene since 1991. (Served until September 2024)

Alan Leiman has a Eugene based law practice focused on representing employees in labor and employment matters throughout Oregon. Since 2011 he has also served as the Municipal Judge in Veneta. Alan has also worked as an Associate Eugene Municipal Judge, and as the Eugene City Prosecutor. He was an Assistant Public Defender in Miami, Florida before moving to Eugene in 1998. Alan appreciates the opportunity to contribute to this ongoing community effort to promote robust civilian oversight over the handling of complaints about police conduct. (Served until June 2024)

2024 Overview

The CRB is required to meet four times a year. The CRB held 9 public meetings in 2024. The Board (with the help of the Independent Police Auditor’s Office) identified policy concerns and communicated such to the Police Commission and the Eugene Police Department. Between January and June, Alan Leiman served as the CRB liaison to the Police Commission, holding a voting seat on both bodies. In June, Clay Neal was elected to serve in that role as the CRB liaison to the Police Commission.

Trainings

Auditor’s office staff in collaboration with the CRB chairs selected a number of training topics for 2024. The CRB engaged in these 8 training sessions:

- Community Court
- Body Worn Cameras
- Auditor Update on Ongoing Projects
- Crowd Management / Public Demonstrations
- 2023 Auditor Annual Report
- Foot Pursuits
- DUII Investigations
- Handcuffing and Flexible Restraint Devices

Case Review Summaries

In preparing for a case review, Board members have complete access to the Internal Affairs investigative file. These materials include call logs, correspondence, body-worn camera video, in-car videos and digitally recorded interviews of complainants, officers, witnesses and others with potentially relevant information.

Board members review file materials, the fact-finding report prepared by the Internal Affairs investigating officer, along with the Adjudication recommendations of the Auditor, the Supervisors and the Chief of Police. During our reviews, the IA investigator is available to answer questions about the complaint investigation. The Internal Affairs Supervisor is also available to answer questions regarding department practices, policies and procedures.

The Board follows a case review process delineated in its Policies and Procedures Manual. The Board reviews each case by evaluating and commenting on the following elements:

1. Auditor's case presentation;
2. Complaint intake and classification;
3. Complaint investigation and monitoring;
4. Relevant department policies and procedures;
5. Policy and/or training considerations;
6. Adjudication recommendations;
7. Additional comments/concerns.

They accomplish this by sequentially discussing the following four categories after the Auditor presents a summary of the case:

1. General Comments
2. Complaint Intake, Classification, and Monitoring
3. Relevant Department Policies, Practices, and Policy/Training Considerations
4. Adjudication Recommendations

There were no designated Community Impact Cases in 2024. For reference, a Community Impact Case differs from a standard case review in that CRB members can review the investigative file and decide if they concur with the Chief's preliminary adjudication. CRB members are also able to provide recommendations on the handling of the complaint and investigation process, as well as policy and/or procedural issues. Lastly, the CRB can choose to have an incident re-opened if 1) the investigation was incomplete or inadequate and additional investigation is "likely to reveal facts that could change the case adjudication" or 2) the adjudication is not supported by substantial evidence.

CRB Case Summaries 2024

FEBRUARY CASE REVIEW:

Case: Allegations Related to Failure to Activate Body Worn Cameras

Summary of Facts

- On June 20, 2023, Reporting Party (RP) complained Eugene Police Department (PD) officers improperly handled a service call. RP alleged that on June 18, 2023, officers did not meet established agency standards and failed to protect the community. After intake, the RP's complaint was classified and processed as a service complaint.
- During the intake review of the RP's complaint by members of the auditor's office, it was revealed the responding officers did not deploy their body-worn video (BWV) recording instruments. A second Internal Affairs (IA) investigation regarding the BWV deployment was initiated and allegations were drafted.
- Officer A and Officer B accepted an expedited IA process and stipulated to the allegations, therefore the Auditor's Office and EPD Chain of Command did not make any recommended adjudications.

Allegations

Officer A:

1203.7.1.c Body Worn Video	That on June 18, 2023, Officer A failed to use his/her BWV system while he/she conducted an investigative encounter in Eugene.
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Officer B:

1203.7.1.c Body Worn Video	That on June 18, 2023, Officer A failed to use his/her BWV system while he/she conducted an investigative encounter in Eugene.
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Recommended Adjudications

Officer A:

Body Worn Video	
Auditor's Office	Employee Stipulated
EPD Chain of Command	Employee Stipulated
Chief of Police	Sustained

Officer B:

Body Worn Video	
Auditor's Office	Employee Stipulated
EPD Chain of Command	Employee Stipulated

Chief of Police	Sustained
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CRB Comments and Discussion See Appendix A for February meeting minutes.

MARCH CASE REVIEW:

Case: Allegations of Failed Body Worn Video Deployment

Summary of Facts

- On August 17, 2023, Eugene Police Department (PD) officers were dispatched to a shoplifting (Theft 3, ORS 164.043) service call. Officer A and Officer B responded to the incident. Officer B contacted one of the involved parties (Suspect) of the shoplifting.
- Officer B gave lawful commands to detain the Suspect, and he/she (Suspect) did not comply with the directions. During the contact with Officer B, the Suspect had control of a child stroller with two children inside it. Officer B used force (focused blows) to overcome the Suspect's resistance and arrested him/her.
- During the use of force review of the event by members of the auditor's office, it was revealed that Officer A and Officer B did not deploy their body-worn video (BWV) recording instruments. An Internal Affairs (IA) investigation regarding the BWV deployment was initiated and allegations were drafted.
- In his/her IA interview, Officer A acknowledged he/she had been occasionally deficient with BWV activation. Officer A stated his/her primary focus was safely handling the incident. Officer A stated the failed BWV activation was unintentional and accidental.
- In his/her IA interview, Officer B stated he/she was "shocked" and "upset" when he/she learned his/her BWV system failed to capture the event. Officer B stated his/her primary focus was handling the situation/Suspect safely. Officer B stated the failed BWV activation was unintentional and accidental.

Allegations

Officer A:

1203.7.1.a Body Worn Video	That on August 17, 2023, at 2891 West 11th Avenue, Officer A failed to use his/her BWV system when he/she was about to make contact with a person who he/she had reasonable suspicion had committed a crime.
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Officer B:

1203.7.1.a Body Worn Video	That on August 17, 2023, at 2891 West 11th Avenue, Officer B failed to use his/her BWV system when he/her was about to make contact with a person who he/she had reasonable suspicion had committed a crime and who he/she subsequently arrested and took into custody.
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Recommended Adjudications

Officer A:

Body Worn Video	
Police Auditor's Office	Insufficient Evidence
EPD Sgt.	Within Policy
Chief of Police	Insufficient Evidence

Officer B:

Body Worn Video	
Police Auditor's Office	Insufficient Evidence
EPD Sgt., Lt., & Cpt.	Within Policy
EPD Deputy Chief	Sustained
Chief of Police	Insufficient Evidence

CRB Comments and Discussion: See Appendix A for March meeting minutes.

APRIL CASE REVIEW:

Case: Allegations of Deficient Conduct and Respectfulness

Summary of Facts

- On April 11, 2023, Sergeant B was in the Eugene Police Department (PD) records department and overheard two records employees, (Witness C and Witness D), discussing frustration regarding Officer A. Officer A had recently shown Witness C and Witness D a nude photograph of himself.
- Witness E was nearby and heard Witness C and Witness D express their dissatisfaction with the display of the photograph. Witness E informed Witness C and Witness D actions like the one Officer A made were not uncommon at Eugene PD.
- Sergeant B spoke to Witness C and Witness D and informed them the behavior was unacceptable. Sergeant B reported the improper conduct of Officer A to Eugene PD leadership, and an Internal Affairs (IA) investigation commenced.
- During the IA investigation, seven witnesses were interviewed regarding their interactions with Officer A. During the interviews, employees discussed Officer A's behavior. Several employees recounted instances of sexual harassment, inappropriate actions, and unprofessional conduct (behavior below the established standards of an employee of the Eugene PD) with Officer A.
- In his IA interview, Officer A stated he did not intend to be inappropriate on April 11, 2023. Officer A stated his intent of displaying the photograph was humor and stated he misjudged his relationships with Witness C and Witness D.

- When other allegations were addressed, Officer A stated he was a stickler for uniforms and appearance, stated his actions were in accordance with maintaining a professional appearance, and denied his actions were inappropriate. Officer A also denied he made inappropriate comments about his genitalia. Officer A stated he had never had a supervisor or fellow employee express concerns about his behavior.

Allegations

Officer A:

103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he displayed an inappropriate image of himself to a group of Records employees.
103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he inappropriately inspected and touched Witness H's duty belt at the Evidence Control Unit.
103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he inappropriately commented on the fit of Witness H's pants at Headquarters a week prior to an event.
103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he inappropriately commented on the fit of Witness F's pants during an event.
103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he described the dimensions of his genitalia to another officer.
103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he described the location of his genitalia in his pants to another officer.
103.5.9 g Conduct	That Officer A failed to foster a safe and respectful work environment when he made inappropriate, sexual comments to another officer regarding her hands during a patrol briefing.
APM 1.4 Respectful Work Environment	Multiple allegations of disrespectful and/or offensive statements and behavior that would be individually and in their totality be in violation of policy.

Recommended Adjudications

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Respectful Work Environment	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

CRB Comments and Discussion: See Appendix A for April meeting minutes.

MAY CASE REVIEW:

Case: Allegation of a Deficient Vehicle Pursuit

Summary of Facts

- On July 23, 2023, Officer A observed a Toyota Camry, at the exit of a convenience store in Eugene, Oregon. Officer A recognized the driver (Suspect) of the Camry. Officer A knew the Suspect had outstanding criminal warrants and a known history of eluding law enforcement.
- Officer A activated his Eugene Police Department (PD), marked, patrol vehicle's emergency lights and siren and initiated a traffic stop of the Suspect's vehicle. The Suspect ignored Officer A's traffic stop attempt and proceeded out of the convenience store parking lot.
- Officer A followed the Camry, and the Suspect did not yield to his/her (Officer A's) traffic stop attempt. Moments later, Officer A slowed his/her vehicle's speed, discontinued use of his/her vehicle's emergency lights and siren, and lost sight of the Camry.
- Officer A communicated to the Eugene PD communications center and other officers, the Camry's description, direction of travel, erratic manner of travel, and that he/she was not in

pursuit of the vehicle. Officer A's in-car video (ICV) footage showed the Camry accelerate away and out of the view of him/her (Officer A).

- Moments later, Officer B observed the Camry arrive and stop at a red traffic light. Officer B activated his/her Eugene PD, marked, patrol vehicle's emergency lights and siren and initiated a traffic stop of the Suspect's vehicle. The Suspect attempted to retreat, and Officer B conducted a forcible stop of the Camry. Officer A arrived on scene and assisted with the forcible stop.
- In his/her IA interview, Officer A stated the Suspect was not an imminent threat to the public, and he/she did not engage in a pursuit. In his/her IA interview, Officer B acknowledged he/she did not know the technicalities of Eugene PD's pursuit policy. Officer B stated he/she was concerned of potential crimes by the Suspect and stated he/she believed the Suspect was an imminent threat to the public.

Allegations

Officer A:

814 Vehicle Pursuits	That Officer A initiated and conducted a vehicle pursuit in violation of policy, when the risk posed to the public was greater than the need for apprehension.
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Officer B:

814 Vehicle Pursuits	That Officer B initiated and conducted a vehicle pursuit in violation of policy, when the risk posed to the public was greater than the need for apprehension.
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Recommended Adjudications

Officer A:

Vehicle Pursuits	
Police Auditor's Office	Within Policy
EPD Chain of Command	Within Policy
Chief of Police	Within Policy

Officer B:

Vehicle Pursuits	
Police Auditor's Office	Sustained
EPD Chain of Command	Within Policy
Chief of Police	Within Policy

CRB Comments and Discussion: See Appendix A for May meeting minutes.

JUNE CASE REVIEW:

Case: Allegation OF Excessive use of force, Deficient conduct, substandard professionalism, evidence/report submission, and use of force reporting

Summary of Facts

- On August 5, 2021, Supervisor A responded to a service call for a shoplifter at Winco Foods in Eugene, Oregon. The shoplifter was detained by Winco Foods' loss prevention staff. When Supervisor A arrived, the Suspect was handcuffed and seated on a bench in the store's loss prevention office.
- Supervisor A exchanged the Winco employee's handcuffs (on the Suspect) for a set of his/her own handcuffs. Supervisor A waited for several minutes as loss prevention officers inventoried the items that the suspect had allegedly stolen.
- The Suspect was uncooperative, and Supervisor A decided to place the Suspect in his/her patrol vehicle. Supervisor A notified the Suspect that he/she was under arrest and going to jail.
- On August 5, 2021, Supervisor A responded to a service call for a shoplifter at Winco Foods in Eugene, Oregon. The shoplifter was detained by Winco Foods' loss prevention staff. When Supervisor A arrived, the Suspect was handcuffed and seated on a bench in the store's loss prevention office.
- Supervisor A exchanged the Winco employee's handcuffs (on the Suspect) for a set of his/her own handcuffs. Supervisor A waited for several minutes as loss prevention officers inventoried the items that the suspect had allegedly stolen.
- The Suspect was uncooperative, and Supervisor A decided to place the Suspect in his/her patrol vehicle. Supervisor A notified the Suspect that he/she was under arrest and going to jail.

Allegations

Supervisor A:

800.2 Use of Force	That Supervisor A used force in excess of that which was reasonably necessary under the circumstances, when he/she dragged the Suspect across a room by his/her handcuffs during his/her arrest on August 5, 2021.
800.2 Use of Force	That Supervisor A used force in excess of that which was reasonably necessary under the circumstances when he/she kicked the Suspect while he/she was in handcuffs.
103.5.9.e Conduct	That Supervisor A's actions, demeanor, and treatment of the Suspect were unprofessional, unbecoming, and brought him/her and the department into disrepute.
103.4.2 Professionalism	That Supervisor A failed to use carefully reasoned discretion or ensure that his/her conduct was respectful during his/her contact with the Suspect on August 5, 2021.
103.5.22 Report and Evidence Submission	That Supervisor A failed to submit a true, accurate, and complete report of his/her arrest of the Suspect.
801.2 Force Response Reporting	That Supervisor A failed to report his/her use of a focused kick that struck the Suspect.

Recommended Adjudications

Supervisor A:

Use of Force	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Supervisor A:

Use of Force	
Police Auditor's Office	Sustained
EPD Chain of Command	Within Policy
Chief of Police	Sustained

Supervisor A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Supervisor A:

Professionalism	
Police Auditor's Office	Sustained
EPD Chain of Command	Unfounded
Chief of Police	Unfounded

Supervisor A:

Report and Evidence Submission	
Police Auditor's Office	Sustained
EPD Chain of Command	Insufficient Evidence
Chief of Police	Insufficient Evidence

Supervisor A:

Force Response Reporting	
Police Auditor's Office	Sustained
EPD Chain of Command	Insufficient Evidence
Chief of Police	Insufficient Evidence

CRB Comments and Discussion: See Appendix A for June meeting minutes.

SEPTEMBER CASE REVIEWS:

Supervisor Action Reviews

Case #1: Professionalism

Summary of Facts

- Reporting party (RP) requested police assistance. Officers responded and spoke to the RP.
- The RP said he/she was a victim of an attempted murder, and his/her children had been killed.
- Officers observed the RP was in distress and offered him/her assistance.
- RP complained the officers were unprofessional during the contact.
- Classified as an Inquiry, reviewed by the auditor's office, and dismissed for no policy violations.

Case #2: Police Methods, Property Release, Animal Care, and Retaliation

Summary of Facts

- RP's significant other was the subject of a criminal investigation. The RP had contact with Detective A regarding the alleged criminal activities of his/her significant other.
- RP contacted the auditor's office with concerns about police methods, how he/she was contacted by a detective after requesting no contact, an injury to his/her dog, retaliation, and the return of property that was seized pursuant to a search warrant.
- Classified as an Inquiry and investigated by Detective Sergeant B.

Case #3: Traffic Stop

Summary of Facts

- Officer A initiated a traffic stop, and the RP failed to yield.
- Officer A continued to follow the RP, and after some time the RP stopped his/her vehicle. RP exited his/her vehicle, approached Officer A, and expressed dissatisfaction.
- Officer A used force to detain the RP and handcuffed him/her. Other officers responded, the event de-escalated, and the RP was cited and released.
- RP complained regarding the traffic stop, and Officer A's actions during the incident.
- Classified as an Inquiry and investigated by Sergeant D.

Case #4: Welfare Check

Summary of Facts

- RP called the communications center and expressed concern for the occupants (three children) of a residence, and their living conditions.
- Officer A (recruit), Officer B (FTO), and Officer C (cover) conducted a welfare check of a residence.
- Officer A took the lead on the welfare check and contacted the residents.
- After a field investigation, Officer A determined he/she was satisfied with the wellbeing of the children of the residence.
- RP complained the welfare check was substandard, and a training example for Officer A was missed.
- Classified as an Inquiry and investigated by Sergeant D.

CRB Comments and Discussion: See Appendix A for September meeting minutes.

OCTOBER CASE REVIEW:

Case: Allegations Regarding Judgement, Foot Pursuit, and Taser Use

Summary of Facts

- On April 6, 2024, Officer A observed a suspected stolen vehicle, near the intersection of West 8th Avenue and Adams Street in Eugene, Oregon.
- Officer A observed two occupants in the vehicle, Suspect 1 and Suspect 2. [Note: Officer A did not know the identities of Suspect 1 and Suspect 2 when he/she made initial contact.]
- Suspect 1 was in the driver's front seat of the vehicle, and Suspect 2 was in the passenger's front seat of the vehicle. [Note: Officer A's body worn video (BWV) footage of the incident began after Suspect 1 and Suspect 2 exited the vehicle.]
- Officer A gave commands to Suspect 1 and Suspect 2. Suspect 1 initially complied with Officer A's commands and detainment. [Note: Suspect 1 later fled the scene and was not apprehended.] Suspect 2 disregarded the instructions and fled on foot. Officer A chased Suspect 2 on foot.
- Officer A's duty weapon was in his/her hand (low ready position) while the foot pursuit occurred. Officer A caught Suspect 2, drew his/her taser, and holstered his/her firearm. Officer A deployed his/her taser on Suspect 2 and took him/her (Suspect 2) into custody.
- In his/her IA interview, Officer A stated his/her reasons for contacting Suspect 1 and Suspect 2, engaging in a foot pursuit of Suspect 2, and holding a taser and firearm simultaneously.

Allegations

Officer A:

103.4.1 Judgment	That Officer A displayed poor judgment during his/her contact with Suspect 2 and Suspect 1, including but not limited to: <ul style="list-style-type: none"> • Contacting them without cover • Running after Suspect 2 with his/her firearm in his/her hand, where the risk of doing so outweighed the potential benefit
458 Foot Pursuits	That Officer A initiated and/or continued a foot pursuit in violation of policy, including but not limited to the following: <ul style="list-style-type: none"> • That he/she was acting alone • That pursuing Suspect 2 left Suspect 1 unsupervised with the stolen vehicle • That he/she pursued Suspect 2 into a highly populated area, increasing the danger to the community
809.2 Use of Taser	That Officer A held both his/her Taser and his/her firearm at the same time, when lethal force was not justified.

Recommended Adjudications

Officer A:

Judgement	
Police Auditor's Office	Within Policy
EPD Chain of Command	Within Policy
Chief of Police	Within Policy

Officer A:

Use of Force	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

CRB Comments and Discussion: See Appendix A for October meeting minutes.

NOVEMBER CASE REVIEW:

Case: Allegations Regarding Use of Position, Conduct, Neglect of Duty, Integrity

Summary of Facts

- On March 18, 2023, Officer E and Officer A responded to a two vehicle crash. One vehicle was driven by the Witness, whose vehicle struck another occupied by two adults and three children.
- Officers determined the Witness was at fault for the crash and determined he/she may have been under the influence of intoxicants. Officer A conducted field sobriety tests and arrested the Witness for Driving Under the Influence of Intoxicants (DUII) and Reckless Endangering.
- Officer A transported the Witness to Eugene PD Headquarters (HQ), conducted breath tests with the CMI Intoxilyzer Alcohol Analyzer and learned the Witness had a blood alcohol content (BAC) of 0.297.
- While Officer A processed the Witness, they engaged in personal conversations and flirtatious behavior.
- After the Witness' processing was completed, he/she was provided with the necessary documents for the incident, given Officer A's business card, and was released from custody. A ride was arranged for departure.
- Officer A and the Witness began telephonic communications shortly after the arrest. In a three-week period, they exchanged 1420 text messages, 19 video/picture messages, and 26 phone calls. Officer A utilized his/her department issued cellular telephone to communicate with the witness and communicated with him/her primarily during work hours. Officer A also contacted the Oregon Department of Motor Vehicles (DMV) and tried to prevent the Witness' license suspension.
- In Officer A's IA interview, he/she denied engaging in a relationship with the Witness, stated his/her desire was to help the Witness, and acknowledged the number of communications between the two was significant.

Allegations

Officer A:

103.5.2 Use of Position/Authority	That Officer A inappropriately used his/her position to obtain personal gain for the Witness, and/or to help the Witness avoid the consequences of his/her illegal acts, when he/she contacted the Oregon Department of Motor Vehicles and requested that the Witness' license not be suspended.
103.5.9 Conduct	That Officer A did not conduct himself/herself in a responsible and professional manner when he/she engaged in a personal relationship with the Witness, which he/she solicited through the use of his/her official capacity as an employee of the Eugene Police Department.
103.5.19 Neglect of Duty	That Officer A neglected his/her official duties when he/she engaged in personal business with the Witness, including but not limited to sending numerous text messages and taking part in lengthy personal phone calls, while on duty.

103.4.3 Integrity	That Officer A deleted electronic communications from his/her department issued cell phone after he/she was told to stop contacting the Witness, which compromised his/her honesty.
103.4.3 Integrity	That Officer A engaged in a personal relationship with a person he/she arrested, compromising the integrity of the underlying criminal proceeding, as well as his/her own integrity and that of the Eugene Police Department.

Recommended Adjudications

Officer A:

Use of Position / Authority	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Conduct	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

Officer A:

Neglect of Duty	
Police Auditor's Office	Sustained
EPD Chain of Command	Insufficient Evidence
Chief of Police	Sustained

Officer A:

Integrity	
Police Auditor's Office	Insufficient Evidence
EPD Chain of Command	Insufficient Evidence
Chief of Police	Insufficient Evidence

Officer A:

Integrity	
Police Auditor's Office	Sustained
EPD Chain of Command	Sustained
Chief of Police	Sustained

CRB Comments and Discussion: See Appendix A for November meeting minutes.

DECEMBER CASE REVIEW:

Case: Allegations Regarding Use of Force and Professionalism

Summary of Facts

- On July 15, 2023, Sergeant C responded to a request for service for a disorderly subject in Eugene, Oregon, at the residence of the Suspect. Computer Aided Dispatch (CAD) information was available to the officers before their contact, and it revealed the Suspect was mentally diminished, had been combative with officers, had failed to follow lawful commands, previously carried a pocketknife, and had a history of resisting arrest.
- Officer A, Officer B, Officer D, Officer E, and Officer F also responded to the service request. The officers formulated a plan to contact the Suspect.
- Officer F went to the Suspect's open, front door of his/her residence. Officer F requested the Suspect come outside, he/she refused and threatened physical harm to him/her (Officer F). Officer D was also threatened by the Suspect.
- Approximately 26 minutes after officers arrived, the Suspect exited his/her apartment, ran from the officers, was caught by the officers, and taken to the ground. The Suspect actively resisted arrest when confronted by the officers. The Suspect raised his/her legs, kicked Sergeant C, and grabbed his/her handheld Eugene PD radio. Sergeant C was on top of the Suspect and delivered approximately nine focused blows to his/her head/upper body and two knee strikes to his/her upper body. Officer A, Officer B, and Officer D assisted with gaining control and handcuffing the Suspect while Sergeant C deployed the focused blows and knee strikes.
- In Sergeant C's Internal Affairs (IA) interview, he/she stated his/her actions were justified and explained his/her thoughts during the incident. Sergeant C denied he/she violated policy.

Allegations

Officer A:

800.2 Use of Force	That Sergeant C used force in excess of that which was reasonably necessary under the circumstances when he/she repeatedly struck the Suspect in the face with a closed fist.
800.2 Use of Force	That Sergeant C used force in excess of that which was reasonably necessary under the circumstances when he/she delivered knee strikes to the Suspect's face.
103.4.2 Professionalism	That Sergeant C failed to use carefully reasoned discretion or ensure that his/her conduct was neutral during the arrest of the Suspect.

Recommended Adjudications

Sergeant C:

Use of Force	
Police Auditor's Office	Sustained
EPD Chain of Command	Within Policy
Chief of Police	Within Policy

Sergeant C:

Use of Force	
Police Auditor's Office	Sustained
EPD Chain of Command	Within Policy
Chief of Police	Within Policy

Sergeant C:

Professionalism	
Police Auditor's Office	Sustained
EPD Chain of Command	Within Policy
Chief of Police	Within Policy

CRB Comments and Discussion: See Appendix A for December meeting minutes.

M I N U T E S

Civilian Review Board

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

February 13, 2024
5:30 p.m.

PRESENT: Jose Cortez, Chair, Carolyn Williams, Vice-Chair; Bernadette Conover, Alan Leiman, Clay Neal, Rick Roseta

Auditor's Office: Vicki Cox, Rob Eller, Lindsey Foltz, Beatriz Otero-Hernandez, Leia Pitcher

EPD: Cindy Coleman, Lt. Ron Tinseth

Municipal Court: Presiding Judge Greg Gill, Administrator Sarah Callegari

ABSENT: Monique Griffin

Chair Cortez convened the Civilian Review Board (CRB) at 5:44 p.m. A quorum was established.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from October and December 2023 Meetings)

Leiman moved, seconded by Roseta to approve the October and December 2023 minutes. The motion passed unanimously.

3. Comments from Board Members and Commission Liaisons

Leiman attended a presentation at the Police Commission meeting in January about recruit retention and promotion. They expected a report about recruitment and representation on the Special Units. They requested follow up about women and minorities in those units. Leiman applied to be on the Police Commission and would transfer away from the CRB if selected.

Conover noted it was Black History Month, and Wednesday was Oregon's birthday.

Williams suggested they postpone the liaison elections. Pitcher agreed.

Chair Cortez motion, seconded by Williams to hold the liaison elections at the next CRB meeting.

4. Training Topic – Community Court

Presiding Judge Greg Gill of Municipal Court and Court Administrator Sarah Callegari presented about Community Court.

Report Highlights:

- Community Court had six judges and 28 staff. It had multiple programs, a mental health court docket, fitness docket, traditional dockets, and an opportunity docket that helped the unhoused.
- Community Court was a diversionary program within the court that connected a defender with service providers to reduce recidivism.
- The program addressed citations in a certain geographic area.
- The court moved from downtown Eugene Library to the first floor of Municipal Court on 11th Avenue and Lincoln Street.
- Defendants met with an attorney, had a needs assessment, and were connected to services including mental health, substance abuse disorder treatment, and retrieving a birth certificate, Social Security Card, and housing.
- The court's goal was to address defendants' underlying issues.
- A defendant's charges were dismissed after completing the program.
- To participate in the program, the defendant must waive their right to a trial. If they did not comply, the court would revoke diversion and proceed to sentencing.
- Community Court funding started with a grant, then bridge funding, and then the Community Safety Tax. They applied for a grant for an extension.
- In 2021, Community Court proposed they acquire funds to provide shelter for participants and a provider to support high-risk participants.
- A National Center for Justice evaluation concluded the program needed a high-risk program. They secured \$600,000 to support a hut community with Community Supported Shelters.
- Defendants who had shelter were more successful in the program.
- Court staff were coordinating wraparound services with Laurel Hill. There was almost 100 percent graduation rate with Laurel Hill.
- One key piece of Community Court was collaboration of law enforcement, the city prosecutor's office, case management, Lane County Behavioral Health, and volunteers.
- Participants also performed community service and took classes.
- Other courts around the United States traveled to Eugene to learn about its program.
- Defendants could go through the program multiple times. On average, a defendant went through the program seven times to end recidivism.
- C misdemeanors and non-person B misdemeanors went through Community Court. In closing, Judge Gill said behavioral health and law enforcement worked together, and the CRB could contact them with further questions.

Judge Gill invited the CRB to visit Community Court.

5. Training Topic – Body Worn Cameras

Lt. Ron Tinseth gave a PowerPoint presentation about Body Worn Video. They passed around an example of a body worn camera and summarized how they came to be used at the Eugene Police Department. Officers had recording capabilities in a few vehicles in the 1990s. In 2004-2005, a camera with hard drive storage system was installed, along with a remote microphone. In 2017, EPD received a grant from the Department of Justice for body worn cameras for officers. In 2023, they renewed a five-year contract. The Community Safety Tax added positions. In their existing budget, they bought more cameras, which all sworn officers received. All detectives received body worn cameras in 2022. The cameras synced with their cars. Detectives have only one, while officers have both. EPD also added 30

cameras for SWAT police officers. Lt. Tinseth explained how the cameras worked and staff's routine for using the cameras.

Williams asked if SWAT had in-car video. Pitcher asked which vehicles had cameras. Lt. Tinseth said they used to have it in the BearCat. They had 230 vehicles and provided the technology to the SWAT workgroup.

Lt. Tinseth suggested creating a capital replacement fund for EPD, similar to Public Works, to ensure adequate equipment for staff such as body worn cameras and ballistic vests but was aware there were limited funds available. Currently, they said EPD was funded through the city's General Fund.

Eller asked if there was a delay with recording video. Lt. Tinseth said there was a buffer.

Pitcher asked if officers could edit the video. Lt. Tinseth said no, and transcription was also available.

Roseta asked how and when officers muted their audio. Lt. Tinseth explained when staff would do that, such as when an officer was waiting for a search warrant for a couple of hours. Lt. Tinseth sometimes forgets to turn off his camera.

Pitcher asked about EPD Policy surrounding muting of the cameras. Lt. Tinseth reviewed the policy, and it was updated in 2023.

Neal asked if remote viewing would lead to a policy change, like in a safety situation, and wondered if the union pushed back.

Lt. Tinseth said the union had approved everything regarding that. If they were too remote in, the officer would be notified they remotored in. There were examples at other police departments that had dispatch remotely turn on cameras to assist an officer.

6. Break

The CRB took a break from 6:51 p.m. to 7:00 p.m.

7. Case Review: Failure to Deploy Body Worn Video

Summary of Facts

- On June 20, 2023, Reporting Party (RP) complained Eugene Police Department (PD) officers improperly handled a service call. RP alleged that on June 18, 2023, officers did not meet established agency standards and failed to protect the community. After intake, the RP's complaint was classified and processed as a service complaint.
- During the intake review of the RP's complaint by members of the auditor's office, it was revealed the responding officers did not deploy their body-worn video (BWV) recording instruments. A second Internal Affairs (IA) investigation regarding the BWV deployment was initiated and allegations were drafted.
- Officer A and Officer B accepted an expedited IA process and stipulated to the allegations.

Allegations

- Failed Body worn Video Equipment Deployment
 - Officer A: 1203.7.1.c Body Worn Video: that on June 18, 2023, Officer A failed to use his/her BWV system while he/she conducted an investigative encounter in Eugene.
 - Officer B: 1203.7.1.c Body Worn Video: that on June 18, 2023, Officer B failed to use his/her BWV system while he/she conducted an investigative encounter in Eugene.

This was an auditor-generated complaint.

Adjudication Recommendations

- Chain of Command: n/a
- Chief Final Adjudication: n/a
- Auditor: n/a

The adjudication recommendation was not applicable because they stipulated.

General Discussion

Complaint, Intake, Classification, and Monitoring Discussion

Leiman determined that the system functioned appropriately.

Neal and Roseta agreed with Leiman, approving of the thorough tracking.

Williams asked if it was reported through the portal. Pitcher confirmed yes.

Williams approved of the portal report because it has easy public access. They asked if the continued communication with the RP occurred in the portal. Pitched said it was a work in progress. Williams said when they set up the portal, the RP could check the status. Foltz said the RP receives push notifications through the process.

Chair Cortez wanted to confirm the pictures were community generated.

Adjudication Discussion

Rosetta agreed with the officers accepting the responsibility.

Conover agreed with them stipulating.

Leiman said it was sustained.

Pitcher said the adjudication was sustained.

Williams agreed that it was sustained.

Cortez agreed that it was appropriate to elevate.

Neal agreed with the group then questioned if other cases were more serious, would there be more findings.

Pitcher said typically they had not offered an expedited process unless it was black and white. In most cases, investigations are necessary to evaluate the officers' mindsets and how they made the decisions they made.

Leiman said if it led to other charges, they would investigate. They were making a cautionary tale and questioned if the purpose of the quick confession was to avoid scrutiny.

Eller said if there was more to review, they would have found out through other interviews.

Neal said it could be revealed in lack of training. They were fearful of other opportunities that were low level.

Foltz said the Auditor's office was doing robust preliminary investigations, increasing the accuracy of classification.

Relevant Policies and Practices; Training Considerations Discussion

Neal said the training seemed to clarify how the technology should be used but that there seemed to be a lapse in how and when it might function. They said it should be clear to those who wore the cameras. Roseta said the purpose of the cameras was to know what happened and it was important for officers to turn them on. Conover agreed and asked about the wording of their stipulation.

Williams agreed and said the cameras should be on because body worn videos shed more light on the situation. They asked if it was a policy that officers need to turn on their body worn camera. Pitcher said it was Policy 1203. Williams asked if SWAT should follow that policy. Pitcher said there was a list of situations when they must turn on their cameras, which included situations that SWAT was active.

Chair Cortez asked if cameras had unlimited storage. Pitcher confirmed yes, based on Lt. Tinseth's information from earlier, and gave examples of reasonable times when they should be turned off.

Leiman listed the times when the body worn cameras could be activated. They said the case should be viewed as a way to not avoid responsibility.

Chair Cortez asked if it was reasonable to assume punitive measures did not increase compliance. Pitcher did not have enough information to make a conclusion. Pitcher said there was another case that was similar. Pitcher's sense was that body worn cameras are important to the community, so it seemed appropriate to elevate this incident to an allegation of misconduct. Pitcher appreciated the CRB's perspective.

Chair Cortez asked how staff could convince officers to use body worn cameras. Leiman said it could be done by removing the discretion.

8. Liaison Elections: Human Rights/Police Commission

They agreed to move this item to a future meeting.

9. Auditor Report

Pitcher stated that members could do ridealongs with officers or with dispatch, and that either would be beneficial for the group. The auditor's office was working on outreach, including an interview with KLCC, Pitcher, and Chief Skinner on police reform. The auditor's office was also working on annual reports.

Williams asked about applicants for the CRB. Leiman was on the selection subcommittee. They had someone from EPD and some community members. Eugene City Council would select the members. They were convening next week to review applications.

10. Closing Comments

Conover suggested the board review a couple of the cases mentioned on the last page of the December Open Case Report. Williams appreciated when board members suggested cases.

Chair Cortez thanked everyone for their patience during his first meeting as chair.

Leiman hoped to be appointed to the Eugene Police Commission.

11. Public Comment

No public comment.

12. Adjournment

Vice Chair Williams adjourned the meeting at 7:35 p.m.

(Minutes recorded by Laura Campbell, LCOG)

M I N U T E S

Civilian Review Board

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

March 12, 2024

5:30 p.m.

PRESENT: Jose Cortez, Chair; Carolyn Williams, Alan Leiman, Rick Roseta, Rob Eller, Lindsey Foltz, Leia Pitcher, Bernadette Conover, Rob Eller, Sgt John Jensen, Clay Neal, Beatrice Otero-Hernandez, Monique Griffin

ABSENT: None

Chair Cortez convened the Civilian Review Board (CRB). A quorum was established.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from February 13, 2024 October Meeting)

Carolyn Williams moved, seconded by Rick Roseta to approve the February 13, 2024, meeting minutes. The motion passed, Monique Griffin abstaining.

3. Comments from Board Members and Commission Liaisons

Alan Leiman commented on his sadness of the unexpected death of Eugene Police Commissioner Dallas Boggs and recognized his achievements on the Eugene Police Commission and in the Eugene community.

Leiman also commented about an issue within the Eugene Police Department (EPD) reported in recent media regarding the treatment of female officers within the Eugene police within EPD. He anticipated the possibility of a discipline matter before the CRB and the community attention that would arise from that.

Griffin affirmed the great loss of Dallas Boggs. She acknowledged the work of Eugene Community Court and lauded a presentation from officer Mozan. She discussed her attendance at a recent University of Oregon Police Department (UOPD) related to a presentation by Angela Davis. She was concerned that the event was poorly run by staff in planning an event in a room with a capacity of 300 when 1000 people attended. She described an issue of poor policing optics with the UOPD Chief guarding the door and other police in attendance. She was also concerned that an announcement was made that attendees were at risk of being charged with trespassing. She inquired about this announcement and was told that there was no risk of being arrested for trespassing. The officers were later sent away. She recognized that the CRB has no oversight of the UOPD and stated it would be helpful to have crowd control training recognizing that UOPD has no history of civilian oversight, although they do have a complaint process and professional standards policies.

Cortez reiterated the loss to the Eugene community with the passing of Dallas Boggs. He also commented on a distressing video related to a case before them on this agenda. He stated he wanted to comment

Civilian Review Board

March 12, 2024

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without judgment that it was distressing to view and recognized the care and concern demonstrated by the Eugene Auditor's office in their work.

4. Auditor Report - Update on Ongoing Projects

Leia Pitcher stated she recognized the secondary trauma that is involved in reviewing case videos.

Pitcher reviewed three long-term projects of the Auditor's Office. First, regarding the treatment of women at EPD that was the subject of recent media attention and an e-mail sent to the Auditors Office, she stated she had requested demographic employee data. She stated various demographic studies have occurred in past years, she believed fresh data was needed for possible new policy development. She planned to speak with the Eugene police Commission regarding the emails she's received on this topic and reiterate the Auditor's role in data collection, reporting, and policy recommendations that may reflect current trends.

Pitcher announced a second long term project related to police vehicle pursuits, which have increased greatly over previous years. This increase reflects a greater liability to the community and to individual police officers and updated policies may be needed. She planned to review pursuit data and present timely informed reports.

Williams inquired about same-officer patterns. Pitcher replied that an early review of the data has not offered a clear pattern of officer involvement although some of the same officers may be involved. The Auditors Office will be reviewing pursuit decisions that may or may not rise to the level of policy misconduct.

Cortez asked if any trends were exposed. Lindsey Foltz replied that trends may be correlational in that involved officers may be younger or have less than five years of experience, but it may be that those same officers are on the same shifts during the time of day the pursuits occur. Foltz added that Eugene pursuit policies over a 10-year period are likely to be reviewed but not compared to other-police department policies that may not be relatable.

Leiman questioned whether changes have occurred over time in the reasons why pursuits occur. Foltz replied that initial violation data will be reviewed. Pitcher added that vehicle damage comparisons will also be made.

Pitcher announced a third project of the Auditors Office, the preparation of its annual 2023 report which will be presented to the CRB. It will also be presented to the City Council on May 8th.

Griffin commented on whether the Auditors Office is looking at data relating to Eugene police officers leaving. Leiman added that while he knew no female officers were members of the SWAT or the Canine units, he did not know there were no female officers in the Drone unit, and he would appreciate seeing the data as well. He stated that he understands this may be more related to the Police Commission's workplan. Pitcher affirmed this issue is not exactly in the Auditors wheelhouse, but it was a data issue, and she does plan on reviewing national trends and related programs, and added the problem is not specific to Eugene.

Bernadette Conover commented that the Auditors Office should not be placed in the middle of the Police Commission's work plan or its personnel issues. Pitcher affirmed the role of the Auditors Office in data collection and reporting an investigation of allegations of misconduct.

Rick Roseta cited his agreement recognizing the differences in roles of the Auditors office and the Police Commission.

5. Break

The CRB took a break from 6:30 p.m. to 6:40 p.m.

6. Case Review: Failure to Activate Body Worn Cameras

Summary of Facts

- On August 17, 2023, Reporting Party (RP) complained that two Eugene Police Department (PD) officers improperly handled a service call. Personal video clips were submitted by the RP who reported that Officer A and Officer B did not meet established agency standards and failed to protect the community. After intake, the RP's complaint was classified and processed as a service complaint.
- During the intake review of the RP's complaint by members of the auditor's office, it was revealed the responding officers did not deploy their body-worn video (BWV) recording instruments. It was noted that during the investigation, Officer A left the department.
- Regarding Officer B, the Auditors Office cited institutional evidence. The Deputy Chief sustained. The Chief sustained.

Allegations

Failed Body worn Video Equipment Deployment

- Officer A: 1203.7.1.c Body Worn Video: that on June 18, 2023, Officer A failed to use his/her BWV system while he/she conducted an investigative encounter in Eugene. It was noted that during the investigation, Officer A left the department.
- Officer B: 1203.7.1.c Body Worn Video: that on June 18, 2023, Officer B failed to use his/her BWV system while he/she conducted an investigative encounter in Eugene.

General Discussion

Conover reflected in the difference between the case last month and the case this month for the same violation. She perceived that the officers in this case viewed the policy as a should rather than a *shall* situation.

Roseta stated he did not have any general comments.

Williams stated she did not have any general comments.

Cortez stated there he wants to review where the failures are happening and a review of officer habits.

Leiman cited his disturbance at viewing the video clips as this case included the use of force. He questioned that the perception is disturbing in this case because the video was not turned on and there was a use of force.

Conover stated the action takes place in seconds and the body worn camera policy is vital the important it needs to be a routine action taken by the officers.

Clay Neal agreed with Cortez's comments.

Complaint, Intake, Classification, and Monitoring Discussion

Roseta agreed it was valuable to have had the body worn cameras on. At the same time there is no question that the officer was more concerned with removing the child from the alleged Theft 3 perpetrator.

Williams inquired about why the officers didn't stipulate to the violation if they admitted that they didn't turn it on. Pitcher replied that the officers did not stipulate to it as they claimed there was a lot going on in this situation. The Auditors Office has no other process avenues for this particular violation.

Williams asked about the use of force in a Theft 3 situation as the force appeared excessive. Pritcher responded that the Auditors Office looks at the severity of the crime and the consensus was that the force was not excessive from a legal policy perspective. Foltz added that this situation involved the chain of events including takedown force with some complications of escalation as the situation evolved.

Sgt. John Jensen presented an overview of the situation the officers faced when approaching the suspects and the priorities the officers set on controlling the situation and detaining the suspects as soon as possible. He cited his belief that the officers were critically aware of the situation involving children and that the alleged perpetrator purposely included the children in a Theft 3 crime and disobeyed officer B.

Cortez commented on the long-range training implications and needs and referenced Officer B's description of the non-compliance of the suspect. He compared statements made by Officer B to some portions of the video. He questioned whether committing a crime in the presence of a child constitutes the crime of child endangerment. Pitcher replied that it is a gray area, depending upon the situation.

Conover stated that officer be statements may have been correct even while the perspective of the video may not have clearly affirmed the statements.

Sgt. Jensen described his experience in confronting suspects who later admit to perpetrating a crime yet disobeyed a police officer's commands.

Leiman commented that a general discussion about the use of force is not the issue before them and is not an issue of the CRB. While he agonizes about the content of the video and is concerned about the activities that took place for a Theft 3 crime, this case is about failure to activate a body worn camera. He referenced a plainclothes officer who was present and asked if that officer had activated a body worn camera. Pitcher replied that that information is not known.

Cortez described the difficulty he is having in comparing the report of Officer B with the initial portion of the video. He asked if the CRB was authorized to turn off the meeting minutes recording so that the CRB could watch a portion of the video because he feels he may be editorializing the situation. He asked if viewing the video would be considered an Executive Session.

Conover asked if there was something in the video that would lead them to take a different set of actions at a future meeting. She asked if the implication is that the case may need to be reclassified. Cortez stated that was the situation he was facing. Pitcher stated it was useful for her to understand their perspective and reiterated that every use of force is reviewed at three levels.

Conover stated the body camera was not activated however the video is footage did show that the suspect was being non-compliant. However, she has no classification recommendations.

Neal stated that he believed the classification to be appropriate and needs to be considered in view of the laws on the books. While the CRB could continue conversations about the use of force, in this situation he stated he believes it was comparably a low level of force.

Relevant Policies and Practices; Training Considerations Discussion

Cortez introduced this agenda item.

Williams stated she was not clear on what additional training might be necessary other than to remind officers to double tap their camera. She would appreciate a clear policy about body worn cameras on plainclothes officers. Williams appreciated seeing the caring interaction of the officers with the children after the event.

Cortez stated he did not feel that this was a malevolent violation of the body worn camera policy. But that is not enough as he referenced officer A as stating that officers relied upon sirens to activate the body worn cameras, which may have developed into a habit that is not consistent with policy.

Leiman stated that he believed that ultimately activation of body worn cameras will be resolved as a technological issue not as a training issue. The cameras would simply always be activated.

Cortez agreed with Leiman.

Neal suggested that the policy is the policy, and no additional training should be necessary unless the situation had been one of an equipment malfunction.

Adjudication Discussion and Recommendations

Cortez expressed that he was aligned with the Auditors Office that there was insufficient evidence to support the allegations. He supports the integrity of the process along the chain of command.

Roseta commented on his perception of the differences between determining whether an activity was within policy or whether there was insufficient evidence to determine if an activity was in policy. He stated that he believed there was evidence that the policy had been violated.

Williams iterated that Officer A had commented that there had been other times when that officer had not turned on the cameras. On the one hand, the fact is that the camera had not been turned on. On the other hand, that inactivation was not done intentionally for the purpose of hiding the facts. Therefore, it appeared to be a product of human error.

Leiman stated the department took the view that this was a moment of human error and not a violation of policy but in the larger context intent is not the only criterion. In his career, he has seen many convictions in which the perpetrator claimed a lack of intent, for example running a red light.

Pitcher affirmed that this discussion was in fact pertinent to the decisions made by the Auditors Office in this investigation, that there was no willful intent to evade the facts, and thus there was insufficient evidence of a violation. Were it not for the complaint filed, the lack of activation may have become a supervisory staff training issue.

Williams suggested then that supervisors increase the frequency by which they advise their officers to activate their body worn cameras. Sgt. Jensen endorsed this suggestion.

8. Liaison Elections: Human Rights/Police Commission

Foltz described that the Human Rights Commission Liaison is participatory, with no voting. The Liaison to the Police Commission is a voting position. Conover moved and Roseta seconded that Griffen be appointed Liaison to the Human Rights Commission. Approved unanimously. The Liaison election to the Police Commission was postponed until the May CRB meeting.

9. Closing Comments

Leiman stated his appreciation for the complexity of considering inactivation of body worn cameras as a violation of policy versus an employee error. While there was no willful intent to evaluate the facts, the recording is an essential element of the work of the department. Conover and Neal concurred.

Conover stated her interest in the CRB reviewing two previously closed cases. Foltz stated that she was familiar with the cases Conover referred to.

Griffin stated that she looked forward to her role on the Human Rights Commission.

Neal stated that he looked forward to learning more about the scope of the CRB's work.

Cortez thanked Leah Robin and Lindsey Foltz for bringing forward this case.

11. Public Comment

No public comment.

12. Adjournment

Chair Cortez adjourned the meeting at 7:45 p.m.
Next Meeting: April 9, 2024

(Minutes recorded by Pam Berrian, LCOG)

M I N U T E S

Civilian Review Board

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

April 9, 2024
5:30 p.m.

PRESENT: Jose Cortez, Chair; Carolyn Williams, Alan Leiman, Rick Roseta, Rob Eller, Lindsey Foltz, Leia Pitcher, Clay Neal, Bernadette Conover, Rob Eller, Sgt John Jensen, Beatrice Otero-Hernandez, Monique Griffin, Joel Peckles

ABSENT: None

Chair Cortez convened the Civilian Review Board (CRB). A quorum was established.

1. Agenda and Materials Review

Cortez said they had a case to review and Carolyn Williams would give additional prompting.

Williams said because of the power differential in the case they were to use gendered pronouns and be careful about the privacy of the people involved. The only identifiers were going to be the gender.

No changes to the agenda.

2. Minutes Approval (Minutes from March 12, 2024 meeting)

Bernadette Conover moved, Carolyn Williams seconded, to approve the March 12th 2024 meeting minutes. The motion passed unanimously.

3. Comments from Board Members and Commission Liaisons

Alan Leiman said not to be a proctor, he was concerned about limiting public comment being at the very end of the agenda as it seemed like an accessibility issue.

Leiman said the last police commissioner meeting was emotional and time was devoted to Bogg's passing and he had a chance to attend the celebration of life for Boggs. He explained it was a little tense at the meeting, as a young man was assaulted and there had been investigation into the racial bias. He explained the commission was struggling to understand its role and what they are going to discuss tonight was also something the commission was interested in as well as if there a cultural issue at the EPD.

Clay Neal said he attended the human rights committee meeting, and much of the discussion was about the case with the young man and bias in the assault.

Monique Griffin wanted to speak on the previous case they reviewed and said they had seen this in previous cases. She expressed frustration over the answers given by the deputy chief of the EPD to the Civilian Review Board. She explained the incidents in this case happened in broad daylight and someone

in charge somewhere should have known this happened. She reiterated the importance of the case and believed if the chief and deputy chief didn't agree then there needed to be change.

Bernadette Conover said they changed public comment so people in the community enough time to sign in for public comment. She said they could make accommodations for people who needed to do comments sooner.

Jose Cortez said there would be plenty of time to comment on the case, but he was struck by how bad behavior was explained away throughout the documents.

4. Case Review: Conduct and Respectful Work Environment

Summary of the facts:

- On April 11, 2023 sergeant B experienced an event involving two officers, C and D, complaining about conduct by Officer A in the records room and brought forth allegations of deficient conduct, sexual harassment, and respectfulness against Officer A to Internal Affairs
- After intake, the RP's complaint was classified and processed as an internal complaint.
- Eight witnesses were interviewed regarding interactions with Officer A and said they experienced instances of sexual harassment, inappropriate actions and unprofessional conduct from Officer A.
- Officer A said in their interview they did not intend to be inappropriate and misjudged their relationship with officers C and D. As for the other allegations, Officer A stated they were a stickler for professional appearance, they had not made inappropriate comments and had never had concerns expressed by supervisors or peers.

The Allegations:

- There were seven 103.5.9 allegations against the code of conduct and one APM 1.4 concerning a respectful work environment brought against Officer A.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when He/she displayed an inappropriate image of himself/herself.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when he/she inappropriately inspected and touched a uniform of an officer in the evidence control unit.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when he/she inappropriately commented on the fit of pants on witness H before a local event.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when he/she inappropriately commented on the fit of a uniform on witness F's pants during a local event.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when he/she described the dimensions of his/her genitalia to another officer.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when he/she described the location of his/her genitalia in their pants to another officer.
- Code of Conduct: Officer A failed to foster a safe and respectful work environment when he/she made inappropriate sexual comments to another officer regarding his/her hands during a patrol briefing.
- APM 1.4: Multiple allegations of disrespectful or offensive statements and behavior individually and in their totality in violation of policy.
- The Chief, Deputy Chief and Independent Police Auditor sustained the allegations.

General Discussion

Griffin said it was unfortunate that the chief and deputy chief were not present, but appreciated that there was no disagreement between the auditor and the chief. She said Leiman had asked how this was allowed to go on for so long and said he encouraged them to reflect and identify if there really was a cultural issue. This case showed that this went on for a long time with this officer, and it persisted until some small interaction stopped it.

Conover said in 1991 when she was a member of the DA's office there was a culture in the EPD that was different from when she left and different again now. She wondered if they had made enough progress. She expressed that one of the witnesses said it came with the territory and she thought that was true, but it shouldn't be. She explained in the trainings it was not what was intended but how it was perceived, and the offended party could not be discounted.

Griffin was disturbed to read the statement that this prepared one of the female officers to deal with male officers. She said the center of the issue of what they were dealing with was if this prepared them to be a safe officer or to shrug off harassment.

Leiman explained they kept running into this situation where the line IA discussion didn't see misconduct as often as the supervisors, chief or deputy chief. It's not a one off. He said there were still witnesses who said the issues hadn't stopped and somehow these issues were still present. He said it's a cultural issue and the last point is that there is an oversight gap. He wanted to know where the accountability was.

Pitcher said Deputy Chief Adams had planned to be here but became sick.

Neil said he was excited to talk about the process because even in the review process the culture pervaded. He believed he culture needed to change.

Cortez said as a reminder they were not going to use identifying information. He said a few meetings ago Pitcher said even if they don't have much to do with discipline, the power of the board is that they have standards are there are things they will not tolerate and they will communicate with the community and the department about those standard and they have a lot of power with communicating.

Williams said this was disturbing case and it shined a light on the cultural aspect of the EPD. She highlighted a few comments from the witnesses and how the culture has allowed this to happen. She said if coworkers and supervisors allow this to happen then what else was being allowed.

Pitcher said she has a few thoughts and grateful they are treating this with respect. She said a organization's culture was defined by the worst behavior they tolerate. She said the time it took for this complaint to be brought to light was disappointing. She said they'd been dealing with this for almost a year and what helped her was that these were being reported and they were being held accountable. It's hard to see the slow change, but she is grateful they are in a place where these things are getting reported and investigated.

Complaint, Intake, Classification, and Monitoring Discussion

Conover said it was curious that there was a union representative there with all the officers.

Pitcher said witnesses can also have representation, and while only one person reported, the other witnesses who then were called in became reporting parties and they requested a representative.

Conover said this was the first she that she'd seen HR involved.

Pitcher said if the case includes different policy issues IA and HR, they may team up with HR.

Conover said the intake and classification was well reported. She appreciated the internal reporting and was glad it got past the 'friendship' aspect, and it made her wonder if other people also saw or heard issues and didn't come forward, which she felt was highly likely and therefore disappointing.

Leiman said these were issues from 15 or 20 years ago and this conduct had no place at the table for discussion anymore. The conduct in the allegations was uncalled for, no one should think that behavior is appropriate. The leadership cannot excuse it away. It was internal but everyone knew, and the officer was a long-term experienced officer. He explained it was clearly a cultural issue. He does not understand how five allegations were not sustained by a certain group, and he would like to know why.

Neal said he thought the intake was an opportunity to celebrate allies and those who saw the issues. He would like to know if there was a generational divide between the reporting party and the offending party. He said it supported the point that someone of the same generation knew this behavior was unacceptable but at the same time he wondered how this cultural issue that had not previously been reported. He said it was not something that happened to Officer B but they stepped up into a supportive role to take a stance on poor culture.

Cortez said in the investigation there was a discrepancy with the sergeant's finding and the deputy chief's findings, and they need to slow down and hear it. They need to know how these things are happening and why they are happening. On allegation number 3, in the sergeant's explanation (page 5). 2.5 years of supervising officer A, they noted their dedication to ensuring peer attire was common and his feedback was equal to male and female, this leadership was acceptable and beneficial for the culture. Deputy Chief Adams view on allegations 3 and 4, he found Officer made comments to both people the fit of their pants, the investigation showed that officer A commented on leggings, not the uniform. The officer said that she remembered it differently and that Officer A commented on how tight the pants were. Cortez was concerned about the large gap between how those allegations were read. He said the sergeant found allegation number 5 to be vague. Cortez believed the standard was unacceptably low for the investigation and the deputy chief said the sexual comments in allegation 5 violated department policy. A witness said Officer A often commented on his genitalia to her. He said he chose to read this out loud to celebrate the fact that there are good people doing good work, but he found the discrepancy between the supervisor and the deputy chief's opinions were so different.

Neal asked if they could identify the investigation team.

Pitcher explained Sergeant Peckles did the investigation and they could not name who adjudicated for security reasons.

Williams said the generation stuff may not just be generational, she explained that not touching someone without permission was always the status quo and that had never been different. She appreciated that Supervisor B brought it forward and that couldn't have been easy. She agreed with the classification. She took issue with how the narrative was written and felt it was biased and perhaps not as thorough as it should have been. She explained she felt there were too many assumptions made in the investigation.

Conover asked how you could see what happened on the camera and not make assumptions due to the nature of a video without sound.

Williams said that the assumptions should not be placed in a document that is supposed to be unbiased. She said some of the phrasing in the document felt wrong, especially the section that stated the officer seemed to be a willing participant in the conversation with Officer A. She believed the wording on the document was misleading and biased without taking the interviews being considered.

Griffin thanked Cortez for his time in recounting several of the comments. She said the Deputy Chief's adjuration was well written and she named a specific quote from the Deputy Chief on the inappropriateness of Officer A adjusting someone else uniforms.

Jose read off the comment from the Deputy Chief's opinion on the uniforms.

Griffin said the training needs to be more direct. She wanted to go back to when it was mentioned that one of the officers said they felt numb to the behavior. She said the department believed it was a one off, and it clearly wasn't, women had no other choice than to remain numb to these issues. She wondered how anyone can feel comfortable reporting to the department when this harassment is ongoing. She said the environment made it more likely that people were going to be victimized by other officers because of how the culture functioned. She said the investigation was good, the work between Sergeant Peckles and Rob Eller went well. She said Eller asked questions that reached the heart of the issue.

Relevant Policies and Practices; Training Considerations Discussion

Leiman wanted to make sure he understood the report. He said the IA investigator investigated and gave them a document and what the unnamed sergeant adjudicated was different. He believed there was a disconnect between the IA officer and the sergeant, and the Deputy Chief overruled the adjudicator.

Pitcher explained the investigator and the Police Auditor investigates and when that is complete it goes to the commanding officer of the investigated officer. The IA investigates, the report went to the supervising officer and then adjudicates the information, then the Deputy Chief gets the information.

Leiman said he didn't want to speak without the evidence in front of him, but it felt like there was a training issue with expectations from the lower-level supervisors.

Pitcher said that was an interesting point and she had a way to track where the disagreement lies and how often it was happening.

Leiman said he did some research and there were no cases shared with the officers, and he said in Boulder they publish cases for the other officers to view. He said he didn't understand why this was tolerated for

this long, and there was an issue with training and there was an opportunity to use this case as an example in training.

Williams asked if there was a way to take this case and turn it into an example for training scenarios.

Sandra said this one was too fresh and high profile, but they did have ways to express the information.

Leiman said there was no way anyone at EPD didn't know about this case and everyone involved.

Griffin agreed with Leiman and stated all the EPD officers knew were the rumors and not what was adjudicated. She said they needed a department wide illustration of what wasn't appropriate. She said this information was public and if she had access to this document, then all officers should have access.

Neal said as a university employee he had to take a sexual harassment training and this example showed why it is so relevant. He believed the conversations taking place were important and people knew it was unacceptable behavior, and if they didn't, they needed training. He explained said they needed to protect people's dignity and it was important to use actual cases to train. He said the policies mostly worked in this case and HR was there in addition to help them.

Cortez said he understood Griffin's point on who is talking and could only speculate that it would be officer A trying to get ahead of the narrative. He would have more questions on how this was communicated and spread and understood it was a complicated and sensitive process. He doesn't want to traumatize and revictimize. He wanted to know how the commanders were trained it investigate.

Conover clarified the question and asked if the training for Internal Affairs investigations was different from other investigations.

Joel Peckles replied the training involved working around workplace rules and laws. He explained that he attended to a week-long training in Texas that covered the internal investigation process. He said it was similar to a criminal investigation but they had to consider employment laws in their inquiries.

Cortez said he was not an officer. He wanted to understand in what way bias may come into account when investigating colleagues. He said implicit bias is something that was in many workplaces. He asked if there was socially scientific data about patriarchal workplace culture.

Pitcher said cultural change was being worked on, but as a leader of her office she took in a lot of information of who she wanted to be and their role was to do specific investigations, so cultural change was outside her expertise.

Cortez said policies, practices and training considerations should be data driven decisions and it would be a something for EPD to think about.

Pitcher said as far as data there is qualitative and quantitative, which they are working on. She said overall gathering qualitative data was difficult.

Cortez asked if there was scholarship in HR or how an organization healed culturally after cases like this one.

Pitcher said she hoped so, but she had investigated different organizations and how they promoted recruitments and initiatives to help women in policing.

Cortez said that was heartening to hear and he appreciated that the auditor was making data-based decisions. He said he would like to make recommendations that are informed instead of just on feelings given the stakes of this case.

Williams said was concerned that officer A couldn't remember incidents even after watching the video of it and as an officer of the law he could be called to be a witness and memory needed to be accurate. She wanted to know why EPD hadn't had a plan or signed an agreement to change their policies. She wanted to know if the perf report from 2017 and the recommendations that came out of that came to fruition. She knew things couldn't change overnight, but she would like to see what steps have been taken. She expressed she had problems with the boundaries that officer A talked about. She said it shouldn't be up to a woman to tell a man when a boundary has been crossed. She said many people didn't step up because "that was just Officer A" and that felt like victim blaming. She explained there was a power differential with Officer A being a man and having seniority.

Conover said it was not unusual for someone with seniority to offer advice.

Pitcher said there is a power differential.

Conover said it was easy to see that because Officer A was a field training officer he had seniority, but he was not a supervisor.

Pitcher said Officer A was not the boss, for accuracy purposes they needed to separate supervisor from seniority.

Williams said Officer A's seniority created a power differential and made it harder to speak up against. She explained she wanted to go on a ride along, but in briefings the officers were making fun of another person. It made her uncomfortable to go into EPD knowing the officer might make fun of her.

Griffin said she also wanted to go on a ride along, but there was no safe way to do so. She thanked Clay Neal for recommending scenario-based trainings because she also recommended that be done. She said one of the officers knew where Officer A was going to be and would go out of her way to avoid him. Training needed to be done, what they were doing right now wasn't working. She thinks scenario-based training and sending a memo to the entire department on what isn't acceptable should be done.

Conover said a sergeant was only looking at their team and the chief and deputy chief were looking at the whole department, so did not surprise her that the opinion on the allegations was different. She said training as an officer needed to be focused on not fixing the issue on their own, but it should be reported to the supervisor. She said scenario-based training worked well on cases that are based on field interactions with the community. She thought that to use this case as a scenario-based training module there were HR and Union issues. She understood why it wasn't used, because they must take the best approach to not identify people who got into trouble. As for the culture, She said the EPD was a barge, it was hard for them to change direction and they needed tugboats to make the barge move. She wondered

if one officer was indicative of a larger issue or was it indicative of people not reporting it. She said they needed to figure out how to enact proper cultural change.

Griffin said she was not as upset last year as she was today, and she was frustrated because this had happened before, and the chief felt it was a one off. She said the whole point of the civil justice system was to hold people accountable, and hopefully the consequences were painful enough to force change.

Cortez made note of the time and thanked everyone for their patience.

Adjudication Discussion and Recommendations

Neal said the sergeant's adjudication in chain of command was problematic and he appreciated that the chief, auditor and deputy chief agreed. He said the system worked in this instance, but expressed concern that the supervisor didn't recognize the issue and the validity of the claims. He said while the adjudicator's report read thin, he agreed with the final decision.

Cortez said his recommendation was to sustain allegations 1-8 and he wanted to reiterate that per Deputy Chief Adams reading of allegations of 3 and 4 was that it wasn't a standard check on the uniform.

Williams said when they are in a trial case, they must be found guilty beyond a reasonable doubt, but this one is different and hedged on the preponderance of evidence. She believed the sergeant was looking for information beyond reasonable doubt. She agreed to sustain the allegations based on the preponderance of evidence.

Griffin said she agreed with what the chief had wrote and that was where the chain of command stumbled, and they needed training on what the standard was. She said an officer had a family member who wanted to be a community service officer and was on the receiving end of harassment on a ride along. That person withdrew their application. Monique said this was a repeated betrayal and evident of a cultural issue.

Conover said she had a hard time saying that it was not safe for people to go to EPD and she explained it got harder to call out bad behavior the longer it continues. She said it had to be shut down immediately and that this behavior would never have happened with some of the female officers she had known. She said officers who won't let it happen need to step in and stop it. She explained people may have seen it, but being ok with it and not saying anything were two different things. She sustained the adjudications.

Griffin said an officer had asked her to send Spanish speaking women interested in being in law enforcement to him. She stated she couldn't send women into a toxic workplace and that was unfortunate for policing.

Leiman said it made him sad that his colleagues didn't feel safe in EPD headquarters, and they had a lot of dedicated men and women. He said if Monique wanted to go in and talk to the chief he would go with her. He stated that with all the terrible police departments in the world, EPD was doing better.

Griffin said while this was not a one-off case, she believed many officers would not think this was ok or would do it, the issue was they didn't know who was good and who wasn't.

Leiman said if Deputy Chief Adams or Chief Skinner were here, he would ask about the disconnect between them and the sergeant. He felt that was a necessary conversation to have with the supervisor. He did want to say that this was not just a harassment issue, that was a safety issue. He said it was unacceptable. He agreed with the recommendations, but he was concerned that nothing had changed.

6. Auditor Report

Leia Pitcher thanked everyone for their thoughtful discussion on the case and it was very emotional for everyone involved. She thanked Rob Eller for taking the load from their office and for Investigator Peckles. She said it was a hard case and she thanked all the allies.

She sent the CRB a couple months' worth of reports but complaints are down this year. She said she went to the police commission last month to explain what her office did and her office was working with the city on getting data so they can make informed recommendations. She said they would have their annual report on May 8th, and they would do a training on crowd control. She talked about the increase in pursuits, and they were doing data on that as well.

7. Closing Comments

Cortez said this was a public service and a public good and he was thankful they had this structure in Eugene. He shared Alan's sentiment on the concern people had over visiting any city institutions. He thanked Monique for speaking her truth and said he imagines a future that is better for everyone.

Williams thanked her colleagues and acknowledged the difficulty of the case.

Griffin said she was grateful for allies, and she thought what people write and say were sometimes different. She believed that what the chief wrote was very strong. She expressed gratitude that this case was laid out in documents for her to review and she was able to speak publicly.

Conover said they see what officers are alleged to not do right and she said they had training on how to care for officers after traumatic events and sometimes they get to do good things but there needs to be more out there about the good interactions officers have with people.

Leiman said a couple of times he heard the comment at the police commission meeting that women have always had this issue; he didn't appreciate that. He expressed they were looking for the fairness that a private sector demands and that's not as hard as they are making it seem. He said everyone should be reviewed and there should not be a third case like this.

Neal believed Officer A didn't understand impact he was having. He expressed that women, people of color and gay people couldn't afford to be clueless, and culture had noticed that people who have been clueless for a long time couldn't be anymore. He said if they are good officers who are trying to do good things, they need to be supported in moving forward into today. He explained Officer B probably wanted a department that was welcoming and safe for his female colleagues. He said it was important to have as many good officers as they could, and a motivating factor was valuing integrity and dignity.

8. Public Comment

None

9. Adjourn

Chair Cortez adjourned the meeting at 7:51 pm

(Minutes recorded by Lydia Harvey, LCOG)

M I N U T E S

Civilian Review Board

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

May 13, 2024

5:30 p.m.

PRESENT: Jose Cortez, Chair; Carolyn Williams, Vice-Chair; Monique Griffin, Alan Leiman, Clay Neal, Rick Roseta

Auditor's Office Staff: Vicki Cox, Rob Eller, Lindsey Foltz, Beatriz Otero-Hernandez, Leia Pitcher

EPD Staff: Deputy Chief Shawn Adams, Cindy Coleman, Sgt. Joel Peckels

ABSENT: Bernadette Conover

Vice-Chair Williams convened the Civilian Review Board (CRB). A quorum was established.

1. Agenda and Materials Review

No adjustments to the agenda.

2. Minutes Approval (Minutes from April meeting)

Griffin had an adjustment to the 1st paragraph at the last sentence; Griffin requested they add a "change in practice."

MOTION: Leiman moved, Griffin seconded, to approve the April minutes with the amendment.
The motion passed unanimously. 6:0

3. Comments from Board Members and Commission Liaisons

Griffin had not yet attended a Human Rights Commission meeting in person, but she had observed one and noted that the group had been talking generally about the case CRB reviewed at the previous meeting and other cases that may have a bias component. Griffin explained she had also watched the last two Police Commission meetings, and felt they were interesting as they discussed a cultural audit. Griffin noted she attended a tour of the EPD with her class and had a presentation from Officer Dave Clark, whose experience was appreciated. Griffin expressed excitement about the training topic for the meeting.

Leiman said he spoke to the Interim Chair of the Police Commission about why they keep the meetings at the EPD, and she indicated if she continued in the position she would look into changing the location. Leiman reported that Police Commission had discussed the issue of the cultural audit and the relevancy of the 2017 PERF report on EPD. The Police Commission was interested in pursuing a similar audit, and the Chief seemed to be proactive in finding outside resources to assist the department. Leiman also reported that several Commissioners' terms were expiring in July, and that the group had had an in-depth discussion related to the Public Safety Cameras policy.

Chair Cortez arrived at 5:38pm.

Roseta said he did not see in the minutes if there was a discussion of cultural relations and if it was an appropriate thing for CRB to discuss.

Pitcher stated that the Auditor worked on specific complaints, and the CRB reviewed closed complaints (even those with HR-related components). For example, the Auditor and Internal Affairs had partnered with HR staff to investigate the complaint that CRB reviewed in April.

Neal had no comments.

Williams said she attended a work session with the City Council with Chair Cortez to present the Annual Report from the CRB. She passed on thanks from the Council to the CRB for the work they do and said there was a special shoutout to Alan Leiman from Councilor Zelenka. She appreciated the opportunity to present to the Council.

Cortez apologized for arriving late and thanked the Auditor's Office staff for assisting with the CRB report.

4. Training Topic: Crowd Management/Public Demonstrations

Deputy Chief Shawn Adams first referred to the case reviewed by CRB in April and stated that he had thought the EPD was further along in their journey to cultural equality and expressed regret that a similar case from last year was not a one-off.

Adams gave a presentation on how EPD addresses Crowd Management. He explained up until 10-15 years ago, EPD had a specifically trained crowd-control team, and they had trained all officers in crowd-control techniques after disbanding the team. However, the lack of a specific team to respond to demonstrations proved to be a gap during the demonstrations in the spring of 2020. Adams stated that he brought his experience from Salem to help EPD implement a similar crowd control model. Adams stressed that it is important to work with community expectations, and pointed out that crowd control relates to more than demonstrations (including fairs and other gatherings). He explained the philosophy was crowd control and crowd protection and stressed the importance of crowd protection to EPD's response (especially in instances where there are opposing protests). Adams pointed out that the priority shifts to crowd control when conditions become more riotous. Adams pointed to three objectives: to protect and safeguard lives, protect rights, and protect property, in that order. Adams stated they had a minimum of about 20 on the team and explained the selection process and training to join the crowd team. He noted that they look for the right temperament for this kind of work, and that team members initially attend a 40-hour training, followed by an additional 66 hours of training per year.

Adams stated they had shifted from more of a riot gear presence to normal uniforms with special equipment worn underneath, so that officers look like they are in normal uniforms plus specialized helmets to protect their heads and allow communication. Adams pointed out that much of their work is on bicycles both to add to the ability to interact and to use the bicycles as a barrier if necessary. Adams stated that the team is equipped with batons, pepper ball launchers, and 40mm launchers. He explained that in a crowd control environment, officers could shoot pepper balls at the ground to make space, and he stated that the 40mm was only to be used for arrests (not for crowd control). Officers also carry pepper spray canisters and they are used in the same manner as on patrol. He said they use OC canisters, and they are hand delivered, they do not use sound devices or tear gas.

Adams explained that body-worn cameras are always used by the crowd control team, though there are battery life limitations. Adams asserted that the focus of the team is voluntary cooperation: that EPD would ask ahead of time and if they could get dialogue at the time of protest, asking for common ground and how they could work together. He said announcements are made to the crowd before any enforcement action. They use a Long-Range Acoustic Device (LRAD), and it can send out a loud screeching noise, but they could not use that function in crowd control. He explained they do use it to

communicate loudly to the crowd and they were also working on an electronic board that would be flashing the same message.

Williams asked if they always made a verbal warning first.

Adams said yes, though there may be specific situations where it isn't practicable. He pointed out that protests generally begin peaceful, and then sometimes there are folks who get into the crowd and engage in criminal conduct; officers will protect lives and safety in those cases and try to selectively remove the folks who are causing trouble.

Griffin said it was good to hear that the department was trying to deescalate through uniform and crowd protection was important. She said it was important that the department rides along with the protestors and that when she attended Pride event last year with Outreach Coordinator Beatriz Otero Hernandez, the police department managed things well. She said Adams mentioned they were looking at creating a dialogue team and wondered if they had a legal team as well.

Adams responded that they consult with the City Attorney but do not have anyone on site.

Leiman pointed out that sometimes the Civil Liberties Defense Center would have people observing at demonstrations.

Adams agreed and stated that they have dialogue with the CLDC teams.

Leiman thanked Adams for the timeliness of the training. He said what was happening on campuses across the country was rough and he knew Chief Skinner had told the University that he had no desire to move in on the protests taking place there.

Adams said the protests on Campus were the responsibility of the University of Oregon's police department and did not include the EPD. He said their teams were in communication on what support could be offered.

Foltz asked about police response to static versus passive resistance.

Adams said their approach focuses on voluntary compliance and avoiding force, and pointed to policy language around not using force against passive resistance.

Griffin recalled the CRB training around use of force where someone was passively resisting and was subject to force, but pointed out that it wasn't in the context of crowd control.

Adams said focused blows in a crowd control scenario was not EPD's practice and something they would avoid. He explained a few methods they use.

Cortez thanked Adams for the presentation. He appreciated that they saw the riot gear as a show of force, and the new uniforms as a de-escalation technique. He was glad to hear about their response to the protests on campus. He said he cares a lot about students and got the sense that Adams did too, he knew it was hard to balance civil liberties with safety and property rights.

Neal said his first job with Portland was walking along during protests and knew visual presence was the primary challenge and often protestors didn't realize that officers were there to protect them.

Adams clarified they were still transitioning to the new gear. He said they had requisitioned the gear but they didn't have officers fully equipped yet.

5. Break

6. Case Review: Vehicle Pursuit

Allegation of Improper Vehicle Pursuit.

Summary of Facts:

- Officer A observed a Toyota Camry, at the exit of a convenience store. Officer A recognized the driver (Suspect) of the Camry. Officer A knew the Suspect had outstanding criminal warrants and a known history of eluding law enforcement.
- Officer A activated his Eugene Police Department (PD), marked, patrol vehicle's emergency lights and siren and initiated a traffic stop of the Suspect's vehicle. The Suspect ignored Officer A's traffic stop attempt and proceeded out of the convenience store parking lot.
- Officer A followed the Camry, and the Suspect did not yield to his/her (Officer A's) traffic stop attempt. Moments later, Officer A slowed his/her vehicle's speed, discontinued use of his/her vehicle's emergency lights and siren, and lost sight of the Camry.
- Officer A communicated to the Eugene PD communications center and other officers, the Camry's description, direction of travel, erratic manner of travel, and that he/she was not in pursuit of the vehicle. Officer A's in-car video (ICV) footage showed the Camry accelerate away and out of the view of him/her (Officer A).
- Moments later, Officer B observed the Camry arrive and stop at a red traffic light. Officer B activated his/her Eugene PD, marked, patrol vehicle's emergency lights and siren and initiated a traffic stop of the Suspect's vehicle. The Suspect attempted to retreat, and Officer B conducted a forcible stop of the Camry. Officer A arrived on scene and assisted with the forcible stop.
- In their IA interview, Officer A stated the Suspect was not an imminent threat to the public, and they did not engage in a pursuit. In his/her IA interview, Officer B acknowledged they did not know the technicalities of Eugene PD's pursuit policy. Officer B stated they were concerned of potential crimes by the Suspect and stated they believed the Suspect was an imminent threat to the public.

Allegations:

-Officer A

814 Vehicle Pursuits: That Officer A initiated and conducted a vehicle pursuit in violation of policy, when the risk posed to the public was greater than the need for apprehension.

-Officer B

814 Vehicle Pursuits: That Officer B initiated and conducted a vehicle pursuit in violation of policy, when the risk posed to the public was greater than the need for apprehension.

Adjudication Recommendations:

-Officer A

The Auditor, Chain of Command and the Chief found Officer A to be within Policy.

-Officer B

Chain of Command and the Chief found Officer B to be within Policy.

The Auditor sustained the allegations.

General Comments

Griffin appreciated that the case was internally generated from a supervisor, and noted the language in the Auditor's memo stating that the investigation appeared to be unbiased – she was curious if that language was typical.

Pitcher said part of the Auditor's office responsibilities was to ensure that investigations did not show bias, so they tended to include language to that effect in their reviews of investigations.

Griffin said it was interesting they were reviewing a case where the Auditor and Chief agreed.

Leiman pointed out that the Auditor and Chief had disagreed on Officer B, and his general comment was that if you knew what the suspect was wanted for and it wasn't serious, then there was no point in chasing, but if it was a real threat, then the reasoning applied by the chain of command was correct.

Neal agreed with Leiman and felt sometimes the risk was greater than the reward. He also pointed out that in the case from April, the CRB had noted some apparent assumptions made in the investigation.

Williams appreciated that they were looking at this case, and she said in the Auditor's report they had noted the uptick in pursuits. She echoed that the pursuit seemed to create the reckless situation.

Cortez said he would like to revisit what kind of rubric officers used to assess risk in a practical way. He said when they know what someone was wanted for and they disengage based on practical knowledge, and wondered if there was a threshold or baseline.

Adams said the criteria was if risk created by the pursuit was greater than the need to apprehend. He said if you have a known violator and you know where to find them later, there was no need to pursue.

Cortez appreciated the case selection because it was an example of officers being humans who have to make decisions on limited information.

Griffin thanked Neal for bringing up the last case and she would keep an eye on the language moving forward.

Complaint intake and classification

The Board agreed with the classification.

Relevant Department Policies, Practices and Considerations

Roseta said he couldn't see a way to make the policy any different without taking away officer discretion.

Neal said the thing that concerned him was when an officer was unclear on something that was important. He noted this was a consistent issue across departments, because there was a lot of information and a lot of discretion. He said it was an important policy as it could cause a lot of damage and he wasn't sure what training went into that, but there had to be some industry best practices.

Willaims said that Officer A had been employed for 3 years and Officer B for 4 years. She agreed the policy was written well, and her request was more training on the policies and checking for understanding of the policy on an ongoing basis. She said didn't expect every officer to know every policy, but she did expect them to recall important pieces.

Cortez said there was a lot in this policy and there was a lot for an officer to consider when doing a pursuit, but registered alarm that this pursuit had occurred on a typically busy and congested street. He asked for clarification around “staleness of a crime.”

Adams said it was different if someone had just robbed a bank, vs if you encountered the car several hours later. He said you might take a lesser approach in the second scenario as it was after the fact.

Cortez asked if staleness in terms of evidence was a factor.

Adams said something they might consider was how great of a need it was to pursue, such as in the case of a kidnapping.

Cortez said it was a large policy and he was inclined to side with Roseta that there needed to be an amount of subjectivity written into the policy. He felt there wasn’t a way to make this policy more precise as officers could not be robotic in that way, but they needed to discuss the lack of familiarity with the policy.

Roseta said when he heard that in the interview with the officer, the question was asked in relation to something else and it wasn’t about the technicalities.

Griffin said the policy couldn’t be clearer, it wasn’t up to the employee to know every detail, they could ask them to summarize to check understanding, she said they needed to know the point behind the policy. She asked Adams if he felt more training would help.

Adams said he believed they always needed more training, and though the organization trains more than others, it could always benefit from more.

Griffin said maybe they needed more training in this.

Leiman said he was concerned about the officer indicating they didn’t fully understand the policy because the circumstances were such that they could arise any day, and vehicle pursuits are an incredibly high-risk activity. He felt that the officer maybe made a decision with misplaced confidence, and more training may be beneficial. He said given what they knew about the suspect he felt the pursuit was unnecessary and risky.

Pitcher said the training and policy conversation was something they would come back to.

Adjudication Recommendations

Neal was curious to hear from the Deputy Chief on the adjudication, he supported the idea that decision had to be made in the moment, but he felt that Officer A made a good choice and Officer B then re-engaged. He was convinced by the Auditor’s reflection on the case and that Officer B’s allegations should be sustained.

Adams said when the pursuit review came to him, there were some things that concerned him, particularly that this pursuit was the wrong way down a one-way street. Adams stated Officer A did everything they would expect, but that Officer B’s failed attempt to block the vehicle out had resulted in the vehicle contacting another, uninvolved vehicle, which increased the seriousness and risk of the situation.

Adams said as the violator was backing up and turning and looked like they would clear the civilian car, Officer A came into contact with the violator’s car and pushed it into the civilian vehicle. Officer B

believed the violator had contacted the civilian car on its own and then pursued based on that. For him that's what changed his opinion from outside of policy to being within policy. He said the blocking maneuver wasn't executed well so they needed more training on it. From a training point of view, they were already on several things, but his adjudication was based on need to apprehend vs. risk.

Leiman said what changed it for him was that Officer B's subjective view was that the suspect was acting recklessly.

Roseta said what a reasonable officer would believe from what they saw that the suspect was acting recklessly.

Adams said that was reasonable standard for their officers and for him, it was reasonable to continue with the action.

Griffin asked why the Auditor didn't agree.

Eller pointed out that Officer A choice not to pursue, and that Officer B did not attempt to communicate with Officer A about the attempted block or how to respond. Eller said the blocking maneuver created unnecessary risk.

Roseta posed some hypothetical questions about the risk of the violator avoiding capture. Pitcher stated that hypotheticals have value for working through analysis, but that for the sake of the case review, they should focus on the circumstances in this specific case.

Neal agreed with Leiman. He noted it was helpful to hear Adams' standpoint, but as a civilian it was hard to justify that choice. He felt the cascading effect was caused by officer B and he wasn't sure how they dealt with that in policy. He knew it was a tough problem to solve and that's probably why they disagreed.

Williams agreed that the action of officer B had cascading effects. She said B had other options for an appropriate and safe pursuit. She asked Adams his thoughts on pursuits against traffic.

Adams said he never wanted to see a pursuit the wrong way down a one way.

Williams reiterated that he had said it was within policy after the suspect turned around.

Adams said policy stated you should not pursue wrong way down a one way, but policy also stated that in apprehend vs risk created, Officer B believing the suspect struck the civilian car on purpose changed his mind on the adjudication.

Williams and Adams discussed the relative risk of pursuit under the circumstances here (one-way street, apparent strike of a civilian vehicle by the suspect vehicle).

Cortez asked if proper communication with officer A could have prevented the pursuit; Adams agreed it was possible. Cortez asked if the attempted block of the vehicle was within policy.

Adams said there was no policy that dictated the mechanics of doing a vehicle block and this was a training issue. He pointed out that the maneuver was not executed properly here, and likely if officer B had communicated with Officer A they wouldn't be sitting here discussing a case.

Roseta asked if Officer A was in position to do anything to help.

Adams said he wasn't and was too far up the street to be effective, but a delay from Officer B would have given them a successful blocking maneuver.

Griffin clarified that the central difference between the Auditor and the Deputy Chief recommendations was that because Officer B reasonably believed the suspect hit the civilian vehicle and fled, the Deputy Chief felt it was within policy and the Auditor believed differently.

Eller stated that it was objectively reasonable to assume that the driver would attempt to elude officers, and that Officers A and B did not communicate.

Adams agreed that Griffin understood his thinking.

Leiman thanked Adams for attending. He explained what he was hearing was that Officer B made a mistake and mistakes weren't policy violations. He stated he wasn't harping on Officer A hitting the suspect. He said the call on the radio from Officer B stated that the suspect was being reckless, but if Officer A hadn't made contact, then the car would have cleared the civilian vehicle. He said the totality of the actions led him to side with the Auditor.

Adjudication Recommendation

The board agreed that Officer A was within policy.

Leiman, Griffin, Williams, Cortez, and Neal agreed with the Auditors adjudication on sustaining the allegations against Officer B.

Roseta agreed with the Chief that Officer B was within policy.

Pitcher said vehicle pursuits were tough because things happened quickly, and she appreciated the discussion.

7. Police Commission Liaison Election

Pitcher said they had been working with the CMO around liaison selections, and clarified that this election was for a nominee for the Police Commission.

Williams asked for clarification on the timing.

Pitcher understood that Council and the Mayor would act on this recommendation at their July 22 meeting, and that this person would start with the Commission after that.

Williams nominated Griffin.

Griffin declined the nomination and nominated Neal.

Neal clarified the meeting schedule and stated that he may have a conflict in the fall but was interested.

Pitcher believed he could send a surrogate if necessary.

MOTION: Cortez moved, Roseta seconded, to nominate Clay Neal as the CRB liaison to the EPD Police Commission.

The motion passed unanimously 6:0.

8. Auditor Report

Pitcher referred to the monthly Auditor's Report included in the meeting packet. She noted that the Auditor team had presented the office's 2023 Annual Report to Council the previous week and it was well received. Her annual performance had been the night before at Council, and it had gone well. She mentioned that staff was working on more issue-based reports, and opened the floor for questions or comments. There were none.

9. Closing Comments

Cortez thanked Adams for letting them put him on the spot and appreciated his response. He thanked Eller and Foltz for their work.

Griffin was grateful for Adams' view on the cases they are going over and she said she would be looking for the language surrounding a lack of bias in future adjudication recommendations. She noted Adams had said that training was never sufficient, and she hopes that more training can be done.

Leiman thanked both officers for their attendance and stated that Adams' response to the case they spoke on last time was heartening. He said it they needed to do better, and he appreciated that the department was taking it upon themselves to look into it.

Neal thanked the board for the nomination and thanked Adams for attending. He appreciated the differences of opinions and the reminder of the complexity of policing and how they approach public safety.

10. Public Comment

Alicia LeDuc Montgomery of Oregon, a civil rights attorney, attended the meeting today as her office sent a letter to the CRB on April 30th regarding a use of force incident that included Officer Peckels who used force during a traffic stop when the encounter that up to a that point had been very peaceful. She believed this was excessive use of force and they had serious concerns about Officer Peckels and his overuse of force in this and previous instances when there were less forceful options. She wanted to ensure the board had received the letter and requested the auditor and the board investigate the case and specifically investigate Officer Peckels for repetitive excessive use of force. She said her office appreciated the board and she was happy to answer questions as she could without violating client attorney privilege.

Roseta said he had not seen the letter but would be interested in learning the date and location.

Pitcher said the letter indicated that the Auditor and CRB were also being named in the attorney's tort claim notice.

LeDuc Montgomery said they were not being named as defendants in the court claim notice, but it was copied to the auditors office and the board so they could do an independent investigation. She said the incident took place on November 4th 2023 in Eugene.

11. Adjourn

The meeting adjourned at 7:40 pm.

M I N U T E S

Civilian Review Board

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

June 11, 2024

5:30 p.m.

PRESENT: Carolyn Williams, Alan Leiman, Rick Roseta, Rob Eller, Lindsey Foltz, Leia Pitcher, Clay Neal, Bernadette Conover, Rob Eller, Deputy Chief Adams, Officer Joel Peckles

ABSENT: Chair Jose Cortez, Monique Griffin, Rick Rosetta

Williams convened the Civilian Review Board (CRB). A quorum was established.

1. Agenda and Materials Review

No adjustments to agenda

2. Minutes Approval (Minutes from May 2024 meeting)

The Board moved the minutes approval to the next meeting.

3. Comments from Board Members and Commission Liaisons

Ms. Williams expressed relief that the EPD didn't need to get involved with the UofO police department during the student protests.

Judge Leiman said the EPD commission decided on language for the EPD Cameras and made a resolution regarding the case on workplace harassment and a Cultural Audit. He explained that after a lengthy debate they passed language to encourage Chief Skinner to do a study similar to the independent PERF report done several years ago. He thanked everyone for their service and said he had enjoyed working with them.

The Board noted Judge Leiman had been reelected to the police commission and Clay Neal was elected to the Police Commission as the CRB liaison.

4. Training Topic: 2023 Auditor Annual Report

Ms. Pitcher said they did their 2023 annual report and presented it to City Council on May 8. It summed up their work from last year and they also had CRB present their annual report. They had the entire 90-minute work session which worked out well. She said she was not going to go into the mission and purview deeply as this board sees it often. She explained the functions of the Office of the Police Auditor.

Ms. Pitcher gave several statistics, noting that of 371 total complaints, 266 complaints went through to supervisors, and 103 of the complaints were dismissed after a robust preliminary investigation.

Ms. Williams asked why they were generally dismissed.

Ms. Pitcher said they were often due to no alleged or observable policy violations. She said they also had a decent number of complaints being outside their jurisdiction. Some were on timeliness; the officer wasn't identifiable, or an alternate remedy was available. They had two complaints administratively closed which meant they didn't have enough information to move forward. She said for the most part the board saw the allegations of misconduct and if it was criminal they usually go to the EPD or an outside agency. She said they had incident reviews which was with IA and they took all investigative steps short of interviewing the involved officer. She explained many of these were closed out as incident reviews, but some may be reclassified into allegations of misconduct or a service complaint. She explained inquiries, which were the class where they didn't see a policy violation, but it was better that the explanation came from the EPD instead of the Auditors office. She said service or policy complaints were lower-level complaints and those went to a supervisor. She explained the 5-year trend of classifications that went up in 2021 and 2023 and said they did a lot of work last year.

In 2023 there were 57 specific allegations of misconduct against 20 employees arising out of 16 total complaints that were classified as allegations of misconduct. The policy violations that were alleged, were around conduct, use of force, body worn cameras, neglect of duty, search and seizure. She said these were the policy allegations that were alleged not necessarily sustained. She talked about vehicle pursuits but only two instances were investigated as policy violations. She said as of May 8, five of the seven complaints had been closed. There were 10 allegations sustained in the month of april, 5 did not have enough evidence, 5 within policy and 5 unfounded. She then corrected herself that when she wrote this, 8 complaints existed, and 30 allegations had been sustained. She explained that was a high rate and it spoke to the level of preliminary investigation they did. She said they did not have input on discipline, but they did receive data on discipline.

Ms. Pitcher said they did a pursuit trend analysis and gave the national numbers of deaths related to police pursuits.

Ms. Conover said the national numbers were not surprising.

Ms. Pitcher said standards vary widely between organizations. She said, in general, pursuits don't end in any way other than a crash and innocent people were usually injured. She explained that the EPD had 18 pursuits last year. She said the risks of pursuit must be weighed against the need to apprehend the suspect. She explained they looked at policy changes and if that contributed to the increase in numbers and their findings were inclusive, but they were still going through the pursuits. She said the changes were overall minor, but when they looked at the trends there were some standouts: Time of day, tenure of the officer (less than 5 years experience), policy changes. She said these often overlapped and they were speaking to EPD on training and received support from the EPD.

Ms. Pitcher named the administrative task outcomes: They supported the civilian review board, sent out auditor newsletters, community outreach, website re-design, public portal, trend analysis, and trainings.

Ms. Conover asked if the portal had a higher or lower instance of investigation.

Ms. Foltz said walk in had a higher rate and phone had the highest number of investigations, postal mail also had a good turnout.

Ms. Pitcher named their goals for 2024-25: they wanted to keep working on accessibility, refining their complaint portal, working on digitizing their survey feedback, and work on diversity, equity, inclusion and belonging. She believed they had become more visible in the community in a positive way. She said they were working on collaboration around deadly force and continued to deliver on their core competencies. She expressed gratitude to the CRB, her team and EPD staff.

Ms. Conover asked what questions the council had had.

Ms. Pitcher said they had many questions and she wrote them down but did not have them in front of her. She did remember that when the CRB did their report there was gratitude for Judge Leiman's work. She said Councilor Keating was focused on accessibility and said they were working with their building on parking.

Ms. Conover asked about the move to city hall.

Ms. Pitcher said the code required that they have a location separate from EPD and it was important for their independence from the city government to be seen by the community. In her opinion it made sense.

Ms. Conover asked how discipline was decided, if there was any kind of matrix in the discipline and was it related to any other agencies, she wanted to know if there was any insight available on how that was determined.

Judge Leiman said he received a discipline matrix when he asked for one.

Ms. Pitcher said that the state passed Oregon administrative rules governing discipline for violations and the disciplinary process. She explained once something was sustained, HR weighed in and gave a range of disciplinary outcomes and the immediate supervisor worked to choose an action and similar to adjudication, it went through the chain of command to see if there was agreement.

Ms. Conover asked if there were steps and input along the way before the final disciplinary action and confirmed the Auditor's Office had no input.

Judge Leiman asked if OAR ever took the decision away from the Chief.

Ms. Pitcher said because of the mitigating and aggravating factors sometimes they had input.

Mr. Neal asked if they track the percentage of dismissals of complaints.

Ms. Pitcher said they did have those numbers but not off the top of her head. She said it was something that had come up in discussions about being an effective partner for the EPD and she maintained that the explanation sometimes needed to come from the police, especially if there was no policy violation.

Clay Neal asked if there was an appeal process after dismissal for people, or did people accept the determination.

Ms. Pitcher said what happened in practice they would get their letter and call and it will be explained to them. They sometimes directed people on ways to review evidence such as video through a public record request.

Mr. Eller said there were times when people were not satisfied, and they would ask for others to step in.

Ms. Foltz explained they also had a feedback form and occasionally people would express their frustration and it sometimes gave them an opportunity to follow up.

Mr. Neal said that might be important to explain it was more than just a dismissal.

Ms. Pitcher said they do a closeout and an explanation letter, she said she told city council they do a lot of front end work and a dismissal was usually still investigated.

Mr. Neal asked if there were statistics on how many people responded.

Ms. Conover said they had only had two complaint replies in her time on the board where they had decided to take a look and both times they agreed with the conclusion.

Ms. Foltz said they directed people to other ways to express their complaints.

Mr. Eller said they were often court or civil cases.

5. Case Review: Use of Force

Mr. Eller gave an introduction on the case being reviewed, saying it was internally generated.

Summary of Facts

- On August 5, 2021, Supervisor A responded to a service call for a shoplifter at Winco Foods in Eugene, Oregon. The shoplifter was detained by Winco Foods' loss prevention staff. When Supervisor A arrived, the Suspect was handcuffed and seated on a bench in the store's loss prevention office.
- Supervisor A exchanged the Winco employee's handcuffs (on the Suspect) for a set of his/her own handcuffs. Supervisor A waited for several minutes as loss prevention officers inventoried the items that the suspect had allegedly stolen.
- The Suspect was uncooperative, and Supervisor A decided to place the Suspect in his/her patrol vehicle. Supervisor A notified the Suspect that he/she was under arrest and going to jail.
- The Suspect threw himself/herself to the ground and struck his/her head on a desk. Supervisor A controlled/grabbed the Suspect and dragged him/her (approximately 15 feet) across the office. During the movement, Supervisor A kicked the Suspect.
- The Suspect was uncooperative and tried to stand up. Supervisor A pushed the Suspect down, and his/her (Suspect's) head struck the floor. Then, Officer B arrived and assisted Supervisor A with the placement of the Suspect in the patrol vehicle.
- In his/her IA interview, Supervisor A stated he/she did not remember the particulars of the incident.

The Allegations

1. 800.2 Use of Force: That Supervisor A used force in excess of that which was reasonably necessary under the circumstances, when he/she dragged the Suspect across a room by his/her handcuffs during his/her arrest on August 5, 2021.
2. 800.2 Use of Force: That Supervisor A used force in excess of that which was reasonably necessary under the circumstances when he/she kicked the Suspect while he/she was in handcuffs.
3. 103.5.9.e Conduct: That Supervisor A's actions, demeanor, and treatment of the Suspect were unprofessional, unbecoming, and brought him/her and the department into disrepute.
4. 103.4.2 Professionalism: That Supervisor A failed to use carefully reasoned discretion or ensure that his/her conduct was respectful during his/her contact with the Suspect on August 5, 2021.
5. 103.5.22 Report and Evidence Submission: That Supervisor A failed to submit a true, accurate, and complete report of his/her arrest of the Suspect.
6. 801.2 Force Response Reporting: That Supervisor A failed to report his/her use of a focused kick that struck the Suspect.

Adjudication recommendation

- Auditor sustained all six allegations.
- The EPD Chain of Command sustained 1 and 3, found 2 to be within policy, 4 was unfounded, and 5 and 6 has insufficient evidence.
- The Chief sustained 1,2 and 3, found 4 to be unfounded and cited insufficient evidence for 5 and 6.

General Discussion, Complaint, Intake, Classification, and Monitoring Discussion

Judge Leiman said if he understood correctly, Officer C was a loss prevention employee at the store and He recalled it was being shown at a social event, which concerned him, and the act of showing it was what generated this investigation.

Ms. Pitcher said her memory was that it was very much a what happened with this use of force event.

Mr. Neal said in the investigation that another officer asked him if as a loss prevention officer did he ever see misconduct from a police officer and Officer C happened to have a video on it.

Judge Leiman said it was internally generated and happenstance that the events took place and as a result it saw the light of day and again proving that there are good officers within the EPD that see it and report on it and follow up on it.

Mr. Neal echoed that sentiment and believed officer C in their response in the interview and how they had grown as a law enforcement officer in their training and recognized that the behavior observed was inappropriate. He asked how the determination to classify the use of force as "pulling by the handcuffs" as there was discrepancy involved in the video and interviews.

Ms. Foltz said it was based on her perception of the video. She said there was room for a variety of views on the specificity.

Mr. Neal said the outcome of that allegation hinged on that word.

Ms. Pitcher felt this was something that came up often and it was a common conversation on being specific and losing what is a substantive allegation. She explained what she and Ms. Foltz spoke on was that it did not matter if it was by the handcuffs or by the hands in her opinion. She said it was one of those things that they could try to predict, but they had to be clear when they wrote the allegations.

Ms. Conover asked if the two other officers that the complaining officer was speaking with at a social event was in the same hiring class.

Ms. Foltz said she didn't know.

Ms. Conover said it was at the bottom of page 18.

Ms. Pitcher said they were all relatively new officers.

Ms. Conover said she wanted to be sure if it was three new officers sitting around discussing misconduct. She wondered if there was ever any contact with the business where this occurred.

Ms. Foltz said they had interviews with some of the employees.

Ms. Conover said she was concerned about the use of that video for personal use, she had hoped it had come up during a use of force training, but she was glad it came out no matter how it came out. She appreciated that they were newer officers who recognized that the force used was excessive and took it where it needed to go. She said two cases ago when they were discussing the harassment and no one brought that to a superior. She asked how they could make sure they were documenting things properly. For her the length of the time between the incident and the report was very long.

Ms. Pitcher said with the 6 months rule, what it meant was that their office could dismiss a complaint, but the chief had the authority to take it on.

Deputy Chief Adams said he believed Ms. Pitcher was correct.

Leia said in practice if they had something with more than six months, the chief had the discretion to still investigate a complaint. She said the impact was that there was no discipline available.

Deputy Chief Adams said that was correct.

Ms. Conover asked if that meant it couldn't go into the personnel file.

Deputy Chief Adams said yes, but discipline was a written reprimand outside of that was counseling which was not a reprimand, and they could potentially insert counseling.

Ms. Conover said that made her feel better, but it seemed to her that an undocumented use of force was an ongoing allegation until it was documented and felt it should still be subject to discipline.

Ms. Pitcher said that was an interesting argument, but the failure to report was not sustained.

Ms. Conover noted officer C was not an EPD officer at the time of the incident she felt it would be easier if they were referred to as their position at the time of the incident and not their position at the time of their interview. Her other concern was the note that at the jail during the book in process, the officer who walked in was asked if there was any use of force used against the suspect being booked, but that person wasn't there for most of the incident. She said the officer who used force didn't report the incident for four hours. She noted the sergeant changed locations and there was a delay in reporting and asked why it took four hours to clear the call.

Officer Peckles noted he could have responded to another call.

Ms. Conover asked if they didn't have to clear a call before responding to another.

Officer Peckles said usually they do.

Mr. Eller said he couldn't remember, but Supervisor A may have sought medical attention.

Ms. Conover asked if there were pictures of the injuries to the person who didn't use force.

Ms. Foltz said there were, and it could be seen in the packet, and it was on the body worn camera.

Ms. Williams said she agreed with the classification. She asked what the following statement meant: "I determined the investigation conducted by EPD and the Sergeant provided the information necessary to make informed decisions regarding the conduct of the involved employee, but I did request that EPD conduct a use of force review before giving my recommended adjudication."

Ms Pitcher said all that meant was that the report provided enough information that they could make an informed recommendation. She said near the end they got the report and asked for a use of force analysis.

Ms. Williams noted that two of the allegations are use of force, and clarified if those were allegations before or after the use of force analysis before asking why they didn't ask for one beforehand.

Ms. Pitcher said they don't always do a use of force analysis. She said if this was reported as a use of force, it would have been reported and gone up the chain of command, often it was at that point early in the investigation that they did a use of force, but this incident came in late.

Ms. Williams asked how often that happened.

Ms. Pitcher said it was rare because this sort of timing was rare.

Ms. Williams asked why it didn't raise those flags earlier.

Ms. Pitcher said the way it came in was just very strange.

Ms. Foltz said that without the use of force analysis this would have been looked at differently.

Ms. Conover said the use of force report noted the wrist lock was inappropriate, but that wasn't one of the use of force allegations, and asked why they did that as opposed to just use of force in general.

Ms. Pitcher said it depends, the standard was that they had to advise the officer on the policy and how they violated it. She said if they came right out and said they used excessive force they tended to object. In this case they even talked about trying to bring another allegation.

Ms. Foltz said the way they write the allegations was important, they had to be specific enough to ensure the officer knew and vague enough to cover all the bases.

Ms. Conover said the use of force report coming in late was unfortunate, but understandable.

Ms. Williams said it should have happened when they filed the case.

Ms. Pitcher said there not every case had a use of force analysis done, it had to be requested, but they would have looked at this in a concurrent manner.

Ms. Williams said they were required to report any use of force.

Ms. Pitcher clarified that if there was use of force with an injury it must be reported. She said usually the person involved made the report, it went to the chain of command, and the Auditors office looked at it. She felt the DT Sergeant did a good job on this use of force memo. She explained that though the timing was weird, she was grateful they received good work.

Relevant Policies and Practices; Training Considerations Discussion

Mr. Neal had no questions, but it showed that different people had different opinions on use of force. He said from his reading it hinged on the specificity of the allegation. He said his questions were on the unfounded claim and the insufficient ruling and wondered what policies the determination was made on.

Deputy Chief Adams said number four was the allegation they believed was unfounded on the command level. He said the incident was ugly, but there were some nuances and some overlap there, he said several were rock solid, but they got to number four, and it felt like it was included in the third and they felt it was unfounded due to policy and already covered by number three. He said that it was not a specific wording issue.

Mr. Neal said with insufficient evidence for five and six, he was convinced by the auditor's description, so he wondered what policy consideration and practice was in place with people forgetting to report. He knew chain of command agreed that it was use of force.

Deputy Chief Adams said looking at allegation six, his understanding was that a use of force report had been completed, but that the specific kick had not been included, and in that case when they were trying to recall two years later, it was before body worn cameras, so he hadn't seen it unless he reviewed the store footage and that was what they were hearing in the interview. They thought as use of force analysis had been completed and therefore there was insufficient evidence. He said they should all agree that he

should remember the kick and after the use of force report, he believed allegation six should have been sustained and that was an error on their part. He said on number five they noted insufficient evidence as they felt there was some reasonableness that the officer could forget a kick and they had to weigh that the officer said he didn't remember.

Mr. Neal said in terms of practice and training, it seemed like the training was adequate as others didn't find it reasonable.

Deputy Chief Adams said as officers, they never want to put their hands on the handcuffs as it could cause injuries, so there may be some training follow-up they could do on this. He said that the other piece was that a wrist lock can be a good escort technique, but it was not appropriate in this instance.

Mr. Neal said his reaction was that the newer officers saw this as an excessive use of force.

Ms. Conover asked if the wrist lock was a use of force that would sometimes be use of force and sometimes not.

Deputy Chief Adams said that was not a use of force, handcuffing itself was not a use of force, but grabbing and pulling by the handcuffs was a use of force.

Ms. Conover asked if it mattered if it was someone being pulled by their hands or by the handcuffs.

Deputy Chief said the potential for injury was higher when the handcuffs were grabbed.

Ms. Conover asked if the standard for the blue folder was only for if there was an injury or potential for injury.

Deputy Chief Adams explained the blue team folder didn't reference injury or potential for injury and generally there were classifications of uses of force that would generally be reportable, noting focused blows, strikes, tasers.

Ms. Conover asked if weapons display was a use of force.

Ms. Foltz replied that weapons display was a show of force.

Ms. Conover said her concern was the focused kick and felt that all three things should have triggered a blue team and use of force report. She expressed concern that in that person's mind that it didn't require a use of force report and that made her wonder how they ensured officers were reporting.

Deputy Chief Adams said this was very early on in their changeover to force reporting, so there may be discrepancies, but some of it was always going to be subjective.

Ms. Conover said intentional force was different from reactionary.

Deputy Chief Adams agreed.

Ms. Conover said she didn't agree the kick was reactionary.

Ms. Folts explained it was rare for officers to be alone, so the incidents were not reliant on one person reporting it.

Judge Leiman said the fact it was a sergeant, and they were alone, was disturbing. He was curious about the memo they saw from the patrol command to supervisor A outlining the allegations. He didn't remember seeing those in the past.

Ms. Pitcher said it should be included every time, but it often looks like a duplicate.

Judge Leiman asked if the officer was scratched or mildly injured, was it in policy for the officer to kick a suspect. He asked if it had to be in the moment or reactionary.

Deputy Chief Adams said no.

Judge Leiman said he remembered reading that Supervisor A didn't remember the kick, but recalled he got scratched. He also felt the report of the head strike was really to cover the head strike created when the suspect was thrown to the ground as he didn't see anything on the first head strike in the video. He felt the training was on the need to report, but it was encouraging that the newer officers recognized the use of force.

Adjudication Discussion and Recommendations

The Board members present agreed that allegations 1-3 were sustained.

Ms. Conover said she was concerned that someone thought number two was within policy. She agreed with Mr. Neal on the professionalism and felt the supervisor was trying to be professional in the conversation. She said she would have sustained the use of force as it was an ongoing case until the report was corrected.

Ms. Williams said after hearing Deputy Chief Adams explain the finding of unfounded, she agreed it was unfounded as an additional allegation to the conduct. She agreed and five and six should be sustained. She agreed with the auditor's adjudication comments on allegation five.

Judge Leiman appreciated how number three was a no brainer for the Deputy Chief, understood their opinion on four, and he said on six they acknowledged it was a mistake on their part and it was important to hear such a strong agreement on the third allegation.

Mr. Neal said the nuance on the captain's adjudication on number two was that the sergeant was using the kick to get out of a situation and felt it should be classified as a use of force. He felt it should have been reported. He was pleased that Deputy Chief Adams felt they made a mistake on their adjudication on number 6.

6. Closing Comments

Ms. Conover asked about the trailers with the flashing lights.

Deputy Chief explained they have a fleet of guardian trailers that are placed in locations where they see an increase in criminal activity. He said liked to differentiate their trailers as retailers have bought similar camera trailers.

Ms. Conover said this was out there to deter criminals, but helped if something did happen.

Deputy Chief said there were four fixed and marked downtown cameras that were not guardian trailers.

Ms. Williams said she hadn't notice there were non-EPD cameras, she said this case harkened back to another case where the theft amount was low and for whatever reason the incident got unreasonably escalated.

Judge Leiman said this happened because the two loss prevention officers struggled with the suspect and felt they had to call in the EPD.

Mr. Eller asked if the suspect had warrants.

Ms. Conover said yes, but they didn't know that at the time.

Judge Leiman said it was similar to the pursuit case, and sometimes it was the same kind of feeling. He thanked everyone for putting up with him for three years and he enjoyed his time with them.

Mr. Neal thanked Judge Leiman for his service and was excited to still work with him. He felt the situation was nuanced and appreciated that there was a firestorm of great thinking around these cases. It gave their community a lot to think about.

7. Public Comment

There were none.

8. Adjournment

Their next meeting would be July 9th.

The meeting adjourned at 7:20 pm

M I N U T E S

Civilian Review Board (CRB)

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

September 10, 2024

5:30 p.m.

PRESENT: José Cortez, Chair, Carolyn Williams, Britini D’Eliso, Rick Roseta, Bernadette Conover

ABSENT: Clay Neal, Monique Griffin

INDEPENDENT POLICE AUDITOR’S OFFICE STAFF: Lindsey Foltz, Leia Pitcher, Beatrice Otero Hernandez, Rob Eller

EUGENE POLICE DEPARTMENT STAFF: Cindy Coleman

Chair Cortez convened the Civilian Review Board (CRB) at 5:30 p.m. when a quorum was established.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from May 13 and June 11, 2024 Meetings)

Foltz read a statement containing corrections to the meeting minutes.

MOTION: Conover moved, seconded by Williams to approve the May and June 2024 meeting minutes, as corrected. The motion passed (5:0).

3. Land Acknowledgement

Chair Cortez read the Land Acknowledgement.

4. Comments from Board Members and Commission Liaisons

City Auditor Pitcher stated no Commission Liaisons were present and the Police Commission did not meet in July but would meet on Thursday when the Independent Police Auditor’s 2023 Annual Report would be presented. Pitcher said the Human Rights Commission (HRC) liaison was not a co-appointment, and there was a CRB liaison to the HRC, with the roles facilitating communications for each body.

Conover encouraged members and staff to reflect on the events of September 11, 2001 and mourned another school shooting 25 years after the Thurston High School shooting. Conover added that a video of a football player in Miami stopped by police was making the news, and viewing it led to appreciating the Eugene Police Department because the language and treatment depicted in the Miami video would not likely occur with Eugene police officers.

Chair Cortez welcomed back CRB members and staff after the summer break and remarked that the video referred to by Williams was an unfortunate reminder that those situations still occur.

Williams reflected on being a CRB member for over seven years, and lamented that Leia Pritchard was leaving the City of Eugene for a position in Colorado.

D'Eliso, a new member of the CRB, provided information about their background as an employee at the Lane County Behavioral Health Division, working in Mental Health.

5. Case Reviews: Four Lower-Level Service Complaints

City Auditor Pitcher stated that once a year the CRB is offered reviews lower-level service complaints not elevated to an investigation of serious misconduct.

Eller provided a PowerPoint slide presentation of the case descriptions and stated that casework details were in CRB member meeting packets.

Chair Cortez remarked that CRB member comments would be invited after each case overview.

Case 1 - Professionalism in Communications

Eller described a case regarding a complaint from the Reporting Party (RP) involving officer communications and said the investigation was dismissed as no policy violations occurred.

CRB Member Comments

Roseta said the officers handled the call well.

Chair Cortez said the videos depicting the behavior of two officers were uneventful and consistent with the case documents.

Williams stated the review was thorough, agreed with the decision, had no suggestions regarding officer response, and noted the officers appeared kind and helpful.

D'Eliso remarked that as a new CRB member, this was a first meeting to review cases, and appreciated seeing the officers doing their job in a thorough manner using a process on which they had been trained.

Conover agreed with previous CRP member comments, believed the lengthy video depicted the situation thoroughly, and said officers treated the parties involved with compassion and followed through with the purpose of the call.

Case 2 - Animal Care, Property Control, and Perceived Retaliation

Eller described the complaint from the RP as involving multiple activities occurring at once, impacting officer communications, but the conduct of officers did not rise to the level of serious misconduct.

CRB Member Comments

Chair Cortez said Case 2 was more complicated than Case 1 in that there were more details to the complaint which made communications a little more difficult to understand, especially between responding agencies.

Williams agreed that Case 2 was more complicated and communications with the person being arrested could have been more courteous. However, the intake process appeared well done, and credit should be given to Vicki Cox, recently retired Police Auditor Office staff.

D'Eliso said there appeared to be two distinct activities creating difficulty in tracking the investigation and the outcome, so following City procedures was perceived as retaliation by the RP.

Conover stated it was a challenging review because the issues were multiple with property control procedures impacting the release of property. Cited the importance of Vicki Cox as Police Auditor Office intake staff in delineating the different response procedures.

Roseta commented that multiple actions occurred around the dog and the car, and the car was a challenging property issue due to rules around evidence control. The officer could have better explained the issues involving property control, and additional case information regarding the dog would have been helpful. As the primary party appeared confused, additional communications by the officer were needed.

Case 3—Traffic Stop. RP failed to yield. RP Handcuffed

Eller described the situation regarding the complaint from the RP after failure to yield for a traffic violation, leading to use of force for handcuffing and said the conduct of officers did not rise to the level of serious misconduct.

CRB Member Comments

Williams remarked that no serious misconduct occurred, and at the end of the video the officer communicated well with the RP.

D'Eliso found the case remarks inconsistent with the video footage in that initially the officers appeared verbally aggressive, but the details illustrated a different scenario. The reasons for the traffic stop were understood the RP ended up complimenting the police.

Conover said that after watching the video of a driver not stopping, it was not difficult to understand that anxiety can be felt by officer even if the RP calmed down later. Cited this case as a good example of the role of the CRB in reviewing the activities of the officer and the RP.

Roseta recused from commenting due to familiarity with an involved individual.

Chair Cortez cited appreciation for the use of body worn video and agreed the case did not rise to the level of serious misconduct

Case 4 – Welfare Check, RP Viewed as Substandard

Eller described the situation regarding the complaint from the RP who had called in a welfare check involving a person with children. The RP believed the welfare check was not thorough. The conduct of officers did not rise to the level of serious misconduct.

D'Eliso said it was difficult to determine the outcome of the welfare check from the case file details, but there was a reference to the Department of Health Services and perhaps there was no imminent harm involving the persons being checked.

Conover remarked that the responding officer had eight years of experience and believed reviewing the length of experience was helpful in reviewing communications. Recognized the difficulty in conducting a welfare check with children present and appreciated that a field training officer was present. Agreed the case did not rise to the level of serious misconduct.

Roseta agreed with the previous two comments and added the situation would have been better handled by social services staff.

Chair Cortez said the case was a microcosmic example about the role of police in the community today and felt the welfare check could have been more thorough but is not aware of what procedures are lawful during welfare checks. Stated they would have preferred more fake fact-finding information but was unsure about what agency had that role.

Conover added that reports of child abuse can be reported to either DHS or police, but DHS is copied by police on reports. Pitcher agreed.

Williams said police should not have to investigate these situations but is happy that such a procedure exists for a faster response by police.

5. Public Comment

Chair Cortez provided instructions for providing public comment. There were no requests to provide public comment.

6. Closing Comments

Conover announced that after tonight's meeting, she was no longer on the CRB Board, cited appreciation for the work of Vicki Cox, and reflected on being on the hiring committee for Leia Pitcher. Recognized that the work of the Police Auditors Office was challenging and believed that after 14 years of Pitcher's leadership and with the continuation of Lindsey Foltz, the Office was in good hands.

Roseta stated that Bernadette Conover had been a great addition to the CRB, and that Leia Pitcher had always taken the comments of CRB members to heart, treated them seriously, and worked towards continuous improvement.

Chair Cortez cited appreciation for Bernadette Conover and Vicki Cox and added that the CRB experience resulted in learning a great deal about the civic process and managing difficult situations towards resolution. Stated the CRB is held to high standard and lauded Leia Pitcher's public service and offered best wishes in the new position in Colorado.

Williams lauded the ability the CRB to discuss cases in a collegial way, thanked Leia Pitcher, suggested the CRB have opportunities to view body worn videos of exceptionally good examples of officer response. Pitcher agreed and affirmed that any closed cases can be reviewed by the CRB.

D'Eliso cited appreciation for the orientation about the role of a CRB member and understood the difficulty in discussing these case matters.

Chair Cortez invited Pitcher to provide closing comments.

Pitcher lauded the work of Vicki Cox, especially in resolving several technical difficulties. She added that Vicki had agreed to continue to assist the Office in bridging the gap until a new hire and the Office is in the middle of that hiring process. She lauded Bernadette Conover's work with the CRB and recognized

the value of that longevity. She remarked she had been reading a book called *High Conflict* and said it reminded her the CRB had always been a place where it was safe to speak and safe to be heard. She announced that the City Council had recently authorized the hiring of Mark Gissiner, as interim Police Auditor until the position was filled.

Pitcher thanked the staff team in the Police Auditors Office and remarked she had leaned especially on Lindsey, Beatrice and Cindy and that working at the City of Eugene was a highlight of her career. Pitcher said they every confidence that the community would maintain police professionalism.

Rob Eller cited appreciation for the leadership of Leia Pitcher and presented Pitcher with a photographic recognition plaque commemorating that leadership. Eller also recognized the recent retirement of police officer Rick Webber as an outstanding representative of the Eugene Police Department.

7. Adjournment

Chair Cortez adjourned the meeting at 6:46 p.m.

Next Meeting: October 8, 2024

(Minutes recorded by Pam Berrian, LCOG)

M I N U T E S

Civilian Review Board (CRB)

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

October 8, 2024

5:30 p.m.

PRESENT: José Cortez, Chair, Carolyn Williams, Britini D’Eliso, Rick Roseta, Clay Neal, and Monique Griffin

ABSENT: None

INDEPENDENT POLICE AUDITOR’S OFFICE STAFF: Lindsey Foltz, Rob Eller, Vicki Cox, and Amanda Cordova.

EUGENE POLICE DEPARTMENT STAFF: Cindy Coleman; Deputy Chief Shawn Adams, and Sergeant John Jensen

Chair Cortez convened the Civilian Review Board (CRB) at 5:35 p.m. when a quorum was established.

1. Agenda and Materials Review

There were no changes to the agenda.

2. Minutes Approval (September 10, 2024)

MOTION: Roseta moved, seconded by Neal, to approve the September 10, 2024 meeting minutes. The motion passed with all voting Yes, except Clay and Griffin who abstained (5:0:2)

3. Comments from Board Members and Commission Liaisons

Neal said he attended the last Police Commission meeting and reported they received an Auditor’s report and Professional Standards Training (PST) information which CRB members had received in the past. He said the Police Commission would like to hear from the CRB about any policy considerations. He added he would need to miss two CRB meetings this fall and was aware members could not miss more than two consecutive meetings.

Williams stated she saw The John Oliver Show last week on the topic of *Traffic Stops* and wanted to share that in the event there were conversations about it in the community.

Griffin remarked she was happy to be at the CRB meeting and shared best wishes to Leia Pitcher in her new position in Colorado.

Griffin stated concern about incidents that involved counter protesters at Eugene's *Pride in the Park Festival*. She stated she did not attend this year and asked Deputy Chief (D.C.) Shawn Adams if he could comment on the incidents. D.C. Adams said the police presence was first and foremost to support and be neutral at events.

Griffin asked why counter protesters were allowed into the event. D.C. Adams replied it was his understanding that festival organizers who plan to exclude persons would have those rules in place weeks prior to an event. He said Police staff were very clear with Pride Festival Board members about the role of Police. He added there were three separate City Departments involved in the event and could have better coordinated their activities.

Griffin asked if a person was assaulted at the event, but the perpetrator was not arrested. D.C. Adams replied that body camera video was reviewed. He said one counter protester was arrested, and a Pride event supporter was cited. Griffin cited interest in reviewing both cases.

Chair Cortez recognized the work of Leia Pitcher and wished her success in her new position in Colorado. He added his appreciation for the continuing work of Lindsey Foltz, Vicki Cox, and Rob Eller.

4. Training Topic: Foot Pursuits

D.C. Adams stated police training regarding foot pursuits was a serious matter so there are policies, and summarized the following points:

- Running from police was not a crime. Stolen vehicles resulted in a great number of foot pursuits, although statistics do not reflect when suspects are not apprehended.
- At the front end, an officer must make a decision that there is a need to apprehend the person.
- An officer should not overthink the intent of the runner but determine the purpose of the chase. Officers were trained never to run directly behind a suspect, for their own safety and the safety of the suspect should an altercation occur.
- If the officer lost sight of the suspect, the chase should be stopped due to the possibility of an ambush. The recommendation was to then bring in a canine.
- Officers were advised not to run with a gun, due to the threat of injury in case of a fall.
- Officers were advised to interact with a runner from an angle to reduce the likelihood of injury to both parties. Once the suspect was down, officers should create distance and await cover from other officers.

D.C. Adams advised that officers plan for various situations, but in real time every situation is different. He cited the work of Gordon Graham in the area of mitigating law enforcement civil liability. He said Mr. Graham's work was focused on ensuring validity in the initial core transaction with reason to believe a crime had been committed and the person suspected had committed it.

Chair Cortez asked if CRB members had questions or comments.

Williams asked about policies regarding the number of officers responding to incidents. D.C. Adams replied that Eugene has a very low ratio of officers to population (1.1 to 1,000 population) which resulted in one patrol car typically responding to an incident initially. He said police were advised never to leave their car unattended, to keep the individuals in sight, and to work in unison if cover arrives. He added it was a judgment call regarding the use of canines. He said police were never to run with a weapon in hand

and there was a policy that officers should never hold a firearm and a taser at the same time unless lethal force is justified.

Roseta stated a taser looked like a handgun and its components had names similar to those of a handgun. Roseta asked why it was not a violation of policy to hold a gun and they taser at the same time.

Williams asked if officers were trained not to run with a firearm. D.C. Adams replied yes, and they are trained to keep their finger off the trigger just as they are trained not to tase someone running away, the latter being the subject of a court decision.

Foltz asked if an officer would get into trouble for stopping a foot pursuit. D.C. Adams replied, no, they could use their judgment to stop pursuits and were not criticized for that decision.

D'Eliso commented that foot pursuits usually involved single officers, unlike the movies.

BREAK

Chair Cortez recessed the meeting for 10 minutes at 6:14 p.m., then reconvened the meeting.

5. Case Review: Allegations related to Foot Pursuit, Taser Policy, Judgement

Eller provided a Power Point presentation of the case summary as follows:

Summary of Facts

On April 26, 2024 Officer A suspected a stolen vehicle. There were two individuals in the vehicle, one in the driver's seat and one in the passenger seat and the officer did not know the identity of either person. Body camera video began as the suspects were exiting the vehicle.

- Officer A gave commands to Suspect 1 and Suspect 2. Suspect 1 initially complied with Officer A's commands and detainment. [Note: Suspect 1 later fled the scene and was not apprehended.] Suspect 2 disregarded the instructions and fled on foot. Officer A chased Suspect 2 on foot.
- Officer A's duty weapon was in his/her hand (low ready position) while the foot pursuit occurred. Officer A caught Suspect 2, drew his/her taser, and holstered his/her firearm. Officer A deployed his/her taser on Suspect 2 and took him/her (Suspect 2) into custody.
- In his/her IA interview, Officer A stated his/her reasons for contacting Suspect 1 and Suspect 2, engaging in a foot pursuit of Suspect 2, and holding a taser and firearm simultaneously.

103.4.1 Judgment: That Officer A displayed poor judgment during his/her contact with Suspect 2 and Suspect 1, including but not limited to:

- Contacting them without cover
- Running after Suspect 2 with his/her firearm in his/her hand, where the risk of doing so outweighed the potential benefit

458 Foot Pursuits: That Officer A initiated and/or continued a foot pursuit in violation of policy, including but not limited to the following:

- That he/she was acting alone
- That pursuing Suspect 2 left Suspect 1 unsupervised with the stolen vehicle

- That he/she pursued Suspect 2 into a highly populated area, increasing the danger to the community

809.2 Use of Taser: That Officer A held both his/her Taser and his/her firearm at the same time, when lethal force was not justified

In regards to Adjudication Recommendations:

Judgement: Chain of Command – Within Policy, Police Auditor’s Office – Within Policy

Chief’s Final Adjudication: Within Policy

Foot Pursuits: Chain of Command – Sustained, Police Auditor’s Office – Sustained

Chief’s Final Adjudication: Sustained

Use of Taser: Chain of Command – Sustained, Police Auditor’s Office – Sustained

Chief’s Final Adjudication: Sustained

Eller said this was an internally generated allegation. The materials provided for the CRB’s review included the following:

- Body worn camera video and photographs
- IAPro report, detailing the investigative process
- All correspondence related to the complaint, including internal correspondence
- Adjudication recommendation memos from the Chain of Command
- Adjudication memo from the Auditor
- Memo concurrence from the Chief
- All related reports and records
- Relevant EPD policies

Complaint, Intake, Classification, and Monitoring Discussion

Roseta said the allegation was internally generated and was not an external complaint. He cited concerns with a portion of the policy that used the text “*but not limited to*” as it was open-ended, and said an allegation should be specific, so officers know exactly what they were alleged to have done wrong.

Williams commented that the investigation was well done and thorough, and asked how often similar allegations involve the same officer before command staff believe a problem exists. Sergeant Jensen replied that command staff review each situation on its own, and do not refer to past allegations. D.C. Adams stated Officer A had been involved in numerous stolen vehicle encounters.

Williams was concerned about the behavior of the union representative during the interview. Coleman replied it is not uncommon for the union representative to make statements of objection for the record and the process allows them to do that.

Foltz stated that allegations do not occur as often as complaints, but they are thoughtfully reviewed.

D’Eliso affirmed that *point of contact* was contact with the vehicle. She asked for assistance in understanding *legal use of force* as it related to holding a handgun and a taser at the same time.

Chair Cortez said there are different kinds of judgement-related allegations and the CRB's perspective about fairness is important. He added that the CRB existed to represent community interests, not to adversely impact anyone's career.

Coleman described the allegation investigation process and typical timeline. She compared current policies to past policies where officers were expected to report on their own use of force. She said that today, multiple officers have that obligation.

Relevant Policies and Practices; Training Considerations Discussion

Williams stated that after seeing the interview, she was concerned that Officer A may need of Health and Wellness services and was concerned Officer A had set up a full scenario of what could happen instead of stating the decisions that led to the stop.

Coleman discussed a variety of EPD support teams relating to Health and Wellness, including mental health counseling. D.C. Adams agreed and stated that EPD championed the health and wellness of its police force and efforts had been in place for some time to enable officers to feel comfortable in self-reporting and seeking wellness activities and mental health counseling. Sargeant Jensen concurred.

Williams asked if EPD could stop officers from returning to duty due to mental health concerns. D.C. Adams replied that removing officers from duty was action was an activity related to different policies than those discussed in this case, and fitness to serve was a legal definition.

D'Eliso stated she saw the interview and body camera footage, and recognized the red flags described by Williams. She said the treatment of the suspect seemed rough by Officer A who seemed to assume the person was under drug influence, but there was nothing to indicate that as far as she could tell. She said she wondered if Officer A was setting up a response situation based upon past experiences.

Griffin stated she agreed with D'Eliso's perception of rough treatment.

Chair Cortez stated that what stood was not Officer A's judgment but what Officer A provided as justification. He read a paragraph from the interview and said he perceived a fear factor was used by Officer A to justify the response instead of reliance on the actual situation. He said Officer A seemed to associate stolen car use with drug use, but he saw nothing to justify that. He said he believed that the Officer A believed their life was in danger, and this was a pattern he had seen before.

Neal said he perceived Office A escalated the situation in haste and training should be focused on when to pause. He agreed that in the interview, Officer A articulated a real sense of danger. He stated the verbal communications and commands were good but once the suspect was in custody there should be a different approach as there was a change in the level of the power dynamic. He asked if the handling of the suspect was acceptable, consistent with policy and training. D.C. Adams replied he did not watch that portion of the video and would need to revisit it.

Neal asked if officers were specifically trained not to carry a gun and the taser at the same time. D.C. Adams replied that it was a policy, but not part of the training.

Eller commented that clarifying questions were needed during the interview, but Officer A did appear to be impacted by mental health issues.

Chair Cortez said it was not clear that officer A had clearly determined that the vehicle they stopped was the stolen vehicle. He added that a takeaway for him was that Officer A needed additional training about how to safely advance with a gun in hand.

Roseta asked Chair Cortez to clarify his comments regarding this vehicle as he believed the officers had determined the vehicle was stolen. Chair Cortez stated that if the vehicle was confirmed to have been stolen, then the pursuit was justified as it was a felony, however it was not clear to him that the confirmation had occurred.

Sergeant Jensen provided information about stolen vehicle confirmations and said while the radio transmission may not confirm, if the officer took steps that led them to a decision it was stolen, then it was considered a confirmed stolen vehicle.

Chair Cortez pondered how long it would take for an officer to confirm a vehicle is stolen in order to respond.

Adjudication Discussion

D'Eliso – Agreed with the adjudications.

Monique – Agreed with the adjudications.

Chair Cortez said that regarding the first allegation, he felt there was insufficient evidence and concerning the judgement of Officer A, was open to hearing what the Officer A was going through in the moment. He said he agreed with the adjudications on the other allegations.

Neal said he agreed with the adjudications but was concerned when behavior was justified because of the way an officer felt. He would have liked to have received information about Officer A's very first steps in the decision-making process. He added he understood the situation presented difficult legal and labor issues.

Roseta said decisions were made by the officers and it was difficult to go back and dissect each step, and while it was a situation where no one was injured, he believed the policy should be reviewed to prevent someone from getting hurt in the future. He said he understood the union would object for the record, and the investigation was useful, and agreed the actions were within policy and the Command recommendations were sustained. He added he believed the policy was too vague, but it was not within his purview to discuss changes. He said his recommendation was *within policy, within policy, and sustained*.

Williams stated she appreciated hearing all of the comments from CRB members and while it was a tough issue, this was why the CRB existed. She opined there was anticipatory anxiety on the part of Officer A and agreed with the adjudications.

6. Auditor Report

Foltz said the Interim Auditor was in transit to Oregon. She outlined the City Council's next step in the recruitment of the new Auditor.

Foltz announced that the Auditors Office had hired Amanda Cordova as Senior Program Coordinator and cited her appreciation for the training provided by Vicki Cox. Cordova was introduced to the CRB.

Foltz reported the City Council would fill Bernadette Conover's unexpired term on the CRB and that the applicant pool and recommendations from the community review committee would be forwarded to the City Council. She added that in June 2025, some CRB member terms would expire, and she would send a reminder in the event those members wanted to reapply in January 2025.

7. Public Comment

Chair Cortez provided instructions public comment. There were no requests to provide public comment.

8. Closing Comments

Griffin stated she appreciated attending the CRB meeting.

Chair Cortez thanked Coleman, D.C. Adams, and Sargeant Jensen for listening to his comments.

Neal said he appreciated the staff resources that make the CRB's meeting successful.

Williams said she agreed with Neal.

D'Eliso said that September was her first CRB meeting and she looked forward to becoming more familiar with the role.

Roseta welcomed Cordova.

9. Adjournment

Chair Cortez adjourned the meeting at 7:47 p.m.

(Minutes recorded by Pam Berrian, LCOG)

M I N U T E S

Civilian Review Board (CRB)

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

November 12, 2024
5:30 p.m.

PRESENT: Chair José Cortez, Chair, Britini D’Eliso, Clay Neal, and Monique Griffin

ABSENT: Rick Roseta

INDEPENDENT POLICE AUDITOR’S OFFICE STAFF: Mark Gissiner, Lindsey Foltz, Rob Eller, Beatriz Otero-Hernandez and Amanda Cordova.

EUGENE POLICE DEPARTMENT STAFF: Sgt. Allison Jordan, Sgt. Joel Peckels, Sgt. Owen Griffith, Lindy Smith.

Chair Cortez convened the Civilian Review Board (CRB) at 5:30 p.m. when a quorum was established.

1. Agenda and Materials Review

There were no changes to the agenda.

2. Minutes Approval (October 8, 2024)

A motion to approve the October 8, 2024 meeting minutes passed with all voting Yes.

3. Comments from Board Members and Commission Liaisons

Neal said he attended the last Police Commission meeting and said they received an Auditor’s report and Professional Standards Training (PST) information which CRB members had received in the past. He said the November 14 Police Commission meeting was cancelled.

Chair Cortez welcomed staff from EPD’s DUII Investigations Division. He also thanked CRB administrative staff for maintaining operational support.

Griffin thanked CRB staff and cited the importance of being a liaison to the Human Rights Commission.

D’Eliso said she wanted to share her appreciation for the tone of the meetings and the way the issues are handled with cultural sensitivity.

Gissiner stated it was a pleasure to be back in the Auditors Office, that he had participated in the hiring of Leia Pitcher ten years ago and had offered to be available thereafter to help the City of Eugene. He added that his temporary contract extends into March 2025.

4. Training Topic: DUII Investigations (Sgt. Jordan)

Sgt. Jordan provided an overview of the process for investigating DUII's, whether initiated by a traffic stop or a vehicle crash. She said an investigation would begin with interaction with the driver and may move to a standardized field sobriety test. She said if the officer determined there was probable cause to arrest the driver, the driver would be transported to EPD Headquarters (or in some cases the jail) where a breath test would be conducted. She said a determination would be made as to whether the driver would be cited and released depending if they had somewhere to go, someone sober to pick them up, so on. If they were to be lodged in the jail, they would be taken to the jail immediately.

Griffin asked what determined the level of citation. Sgt. Jordan replied it was an officer's discretion to cite for misdemeanor or felony depending upon factors such as whether an accident occurred causing injury, or whether reckless driving was involved.

Griffin asked what training officers received regarding citation determinations. Sgt. Jordan replied she could not speak directly to the applicable training other than that that was provided by the Academy.

Foltz asked if the standard included performing a breathalyzer test on everybody, and if the driver refused, what was the next step. Sgt. Jordan replied that not everyone arrested for DUII is *alcohol* intoxicated, so the test would include a urine sample. She said if a driver refused those tests, EPD could call in a drug recognition expert, trained to evaluate physiological cues such as blood pressure, pupil dilation, temperature, and the like. She added EPD could also order a blood draw if refusal continued.

Foltz asked what the 15-minute waiting period was for. Sgt. Jordan replied it was to ensure nothing was consumed for 15 minutes before the breathalyzer test.

Griffin asked about the urine tests. Sgt. Jordan replied EPD used standardized sealed urine test kits that were designed to detect whether any foreign elements were being added to the urine such as water, which would be considered tampering with evidence.

Gissiner asked if there was any situation in which the responding officer or supervisor would be required to contact the Oregon Department of Motor Vehicles about the incident. Sgt. Jordan replied that there are reports and records that are provided to the driver, and if an accident was involved that report may be provided to the Department of Motor Vehicles.

Gissiner asked if EPD had specific DUII officers. Sgt. Jordan replied in the past yes, but currently there are varied staffing tiers, and none are dedicated to DUII's.

Gissiner asked if officers received DUII-specific training. Sgt. Jordan replied yes, training that was related to performing the standardized tests. She added that there was also a voluntary course about identifying impaired drivers.

Chair Cortez asked if it was safe to assume that non DUII stops were not as safe as DUII stops. Sgt. Jordan replied that was correct.

Chair Cortez affirmed with Sgt. Jordan that additional questions could be asked if they arose during Agenda Item 5.

BREAK

Chair Cortez recessed the meeting for 3 minutes at 6:07 p.m., then reconvened the meeting.

5. Case Review: Allegations of Misuse of Position, Integrity, Neglect of Duty

Eller provided a Power Point presentation of the case summary as follows:

Summary of Facts

On March 18, 2023, Officer E and Officer A responded to a vehicle crash which involved two vehicles. One vehicle was driven by the Witness. The Witness' vehicle struck another vehicle with five occupants, two adults and three children.

- Officers determined the Witness was at fault for the vehicle accident and determined he/she may have been under the influence of intoxicants. Officer A conducted field sobriety tests and arrested the Witness for Driving Under the Influence of Intoxicants (DUII) and Reckless Endangering.
- Officer A transported the Witness to Eugene PD Headquarters (HQ), conducted two breath tests with the CMI Intoxilyzer Alcohol Analyzer and learned the Witness had a blood alcohol content (BAC) of 0.297 and 0.295.
- While Officer A processed the Witness for DUII, the two engaged in personal conversations and flirtatious behavior.
- After the Witness' processing was completed, he/she was provided with the necessary documents for the incident, given Officer A's business card, and was released from custody. An Uber ride was arranged for the Witness to depart from EPD HQ.
- Officer A and the Witness began telephonic communications shortly after the arrest. In a three-week period, they exchanged 1420 text messages, 19 video/picture messages, and 26 phone calls. Officer A utilized his/her department issued cellular telephone to communicate with the witness and communicated with him/her primarily during work hours. Officer A also contacted the Oregon Department of Motor Vehicles (DMV) and tried to prevent the Witness' license suspension.
- In Officer A's Internal Affairs (IA) interview, he/she denied engaging in a relationship with the Witness, stated his/her desire was to help the Witness, and acknowledged the number of communications between the two was significant.

Allegations

103.5.2 Use of Position/Authority: that Officer A inappropriately used his/her position to obtain personal gain for the Witness, and/or to help the Witness avoid the consequences of his/her illegal acts, when he/she contacted the Oregon Department of Motor Vehicles and requested that the Witness' license not be suspended.

Command Decision: Sustained

103.5.9 Conduct: that Officer A did not conduct himself/herself in a responsible and professional manner when he/she engaged in a personal relationship with the Witness, which he/she solicited through the use of his/her official capacity as an employee of the Eugene Police Department.

Command Decision: Sustained

103.5.19 Neglect of Duty: that Officer A neglected his/her official duties when he/she engaged in personal business with the Witness, including but not limited to sending numerous text messages and taking part in lengthy personal phone calls, while on duty.

Command Decision: Sustained

103.4.3 Integrity: that Officer A deleted electronic communications from his/her department issued cell phone after he/she was told to stop contacting the Witness, which compromised his/her honesty.

Command Decision: Insufficient Evidence

103.4.3 Integrity: that Officer A engaged in a personal relationship with a person he/she arrested, compromising the integrity of the underlying criminal proceeding, as well as his/her own integrity and that of the Eugene Police Department.

Command Decision: Sustained

Eller said the complaint was internally generated and the materials provided for the CRB's review included the following:

- Body worn camera video and photographs
- IAPro report, detailing the investigative process
- All correspondence related to the complaint, including internal correspondence
- Adjudication recommendation memo from the Chain of Command
- Adjudication recommendation memo from the Auditor
- All related reports and records
- Relevant EPD policies

Complaint, Intake, Classification, and Monitoring Discussion

Griffin said she believed the investigation was solid and appreciated that the complaint was internally generated.

D'Eliso asked what the distinction was between the *Conduct* allegation and the second *Integrity* allegation. Eller replied that Leia Pitcher added the second integrity allegation due to the number of repeated contacts.

Neal reported he was attending remotely and CRB member voices were breaking up and difficult to hear, except for Chair Cortez and asked if that could be improved for the listening public.

Neal said the Intake work reflected the integrity of the Police Department. He said the investigation was thorough and the amount of material was substantial.

Chair Cortez said the interview was well conducted. He asked why there was not a *Dishonesty* allegation. Eller explained that Pitcher may have felt *dishonesty* was difficult to discern given the discussions with the supervisor.

Relevant Policies and Practices; Training Considerations Discussion

D'Eliso asked if officers were provided training about internal or implicit bias. She also asked why the officer would not know the witness had previous DUI's, whether they were not trained to obtain that information or instructed not to obtain that information. Sgt. Jordan replied that the information may or may not be readily available regarding prior arrests, and the DA's Office determined the final charge.

Griffin asked whether dispatch staff provided information about previous DUI's to responding officers. Sgt. Jordan replied that dispatch staff may or may not provide that information to responding officers but

would only know the information that occurred in the Eugene-Springfield area as EPD did not have immediate access to arrest data from the Lane County Sheriff's Office.

Neal said he was leaning towards a policy suggestion that officers be required to obtain prior-DUII information and asked why it was not a policy currently. Sgt. Jordan replied that she did not know if the information would impact the way that an officer conducted an investigation because information about an arrest may not be complete since the charge could be changed by the DA's office.

Neal stated he preferred to have a policy whereby as much information would be obtained by the responding officer, so the officer did not rely on the word of the driver as to whether or not they had a DUII in the past, but said he understood there was not a clear path to that information. He said he also agreed with the comments regarding implicit bias training.

Neal asked for clarification about the role of a police officer in requesting a license not be suspended, citing the instance in which the officer asked DMV not to suspend the license. EPD staff replied that had not occurred in any case they were aware of but there could potentially be a case where a criminal case was moving forward and EPD would ask the DMV case to be stayed so that an officer isn't brought into a DMV investigation where the defendant may have an attorney and the officer would not.

Neal concluded he did not have a policy or training recommendation.

Chair Cortez asked if a policy was needed regarding the topic of exchanging emails or texts with someone arrested. Sgt. Jordan replied that officers are informed that all of their written and phone records are public records. He asked if there was a problem in the department in this regard or if there were any pattern of this sort of conduct. EPD staff affirmed there was no such pattern.

Gissiner commented that he felt the officer clearly had a great amount of leverage in this situation to the point of feeling comfortable contacting DMV. He said he was disappointed that the interviewing Sergeant assessed the officer's behavior as being one of *caring and compassion* when it seemed a clear case of an officer leveraging a powerful position.

D'Eliso stated the interviewing Sergeant's comments regarding *care and compassion* did not seem to fit the fact that the witness did not appear upset, nor did they ask for assistance.

Griffin stated that it should be formalized to discuss with officers that it is inappropriate to speak with arrestees in any capacity that does not have to do with the job. Griffin discussed additional training involving when to provide discretion and leniency to situations. She believed that leniency should not be allotted when there is a history of similar behaviors.

Adjudication Discussion

Neal said he disagreed with some assumptions given the facts as he understood them. He said he felt CRB was left to guess what the motivations of the officer were. He said the behavior of the officer was not great, but he was not convinced as to whether officer acted because they cared about the witness. He agreed with the recommendations of the Auditors Office and the Chief but said he felt some of the evidence was insufficient.

Chair Cortez asked why the officer's work phone was not seized in the first instance by the supervisor. EPD staff responded they did not know, and opined it may have been noted, then overlooked. Chair Cortez suggested that policy could be improved.

Griffin agreed with the adjudication decisions.

D'Eliso stated the interviewer's comments regarding the officer's caring and compassionate behavior muddled the waters. She said the great number of texts and videos sent while on the job was problematic.

Adjudication Recommendations

Chair Cortez agreed with the Command decisions and sustained the allegations.

D'Eliso agreed with the Command decisions and sustained the allegations.

Griffin agreed with the Command decision and sustained the allegations.

Neal agreed with the Command decisions and sustained the allegations. He added a comment that he was uncomfortable with a particular statement regarding the body worn video segment which reported that the officer acted in a flirtatious manner. He said he did not agree that was the case in his viewing of the body worn video, but he missed that last two minutes of it. He said it did not change his recommendation, but he wanted to know if EPD staff agreed or CRB members agreed with him. He said he raised the issue because he did not want the facts of the case to be misrepresented. EPD staff replied they would have to view the video again as it had been some time since they had seen it.

D'Eliso commented that it was difficult for her to determine if the officer was flirtatious because she could not see the officer's face.

Chair Cortez stated that invitational behavior could occur when officers respond to an incident.

Foltz commented that she understands the body worn video only depicts the situation from the officer's point of view. She added that at the very end of the body worn video, there was what she would interpret as a lingering touch between the officer and the witness. She suggested that an investigation should quantify elements of conversation or touch without reaching ad hoc interpretations such as *flirtation*.

6. Auditor Report

Gissiner credited Beatrice Otero-Hernandez for facilitating a great amount of community engagement work with over 30 community organizations. He said he was glad to be back in Eugene. He said he recognized the Police Chief had a lot of new people on his leadership team and it was important to engage EPD management in the principles of the Independent Auditors Office.

Foltz said there was a current unexpired term that may be filled November 25th by the City Council and would expire June 30, 2025. She added that for CRB members whose terms are expiring, they need to reapply for another appointment. She announced the recruitment for the Independent Auditor's position had begun, with a closing date of January 1, 2025.

7. Public Comment

There were no requests to provide public comment.

8. Closing Comments

Griffin stated she appreciated EPD staff attending the CRB meeting.

D'Eliso said she also appreciated EPD staff attending the CRB meeting to respond to their questions.

Chair Cortez thanked staff for their hard work in preparing for the meetings. He welcomed Mark Gissiner back to the Pacific Northwest. He thanked EPD staff for attending and responding to questions from CRB members.

Neal said he appreciated the thorough investigation and robust conversation.

9. Adjournment

Chair Cortez adjourned the meeting at 7:30 p.m.

(Minutes transcribed from a video recording by Pam Berrian, LCOG)

M I N U T E S

Civilian Review Board (CRB)

Held in person at 101 East Broadway Suite 230 Eugene, OR 97401
and via Zoom webinar

December 10, 2024

5:30 p.m.

PRESENT: Chair José Cortez, Britini D’Eliso, Clay Neal, Carolyn Williams, Noah Coon, and Monique Griffin.

ABSENT: Rick Roseta

INDEPENDENT POLICE AUDITOR’S OFFICE STAFF: Mark Gissiner, Rob Eller, Beatriz Otero Hernandez, and Amanda Cordova.

EUGENE POLICE DEPARTMENT STAFF: Cindy Coleman, EPD Professional Standards Manager, Sgt. Tyler Richards, and Lt. Ryan Nelson.

Chair Cortez convened the Civilian Review Board (CRB) at 5:35 p.m. when a quorum was established and he read a land acknowledgement.

1. Agenda and Materials Review

Due to Sergeant Richards being delayed, the Training agenda item was moved to occur after the case review.

2. Minutes Approval (November 12, 2024) attachment

MOTION: Griffin moved, seconded by Williams, to approve the November, 12, 2024 meeting minutes.

VOTE: 6:0 PASSED

IN FAVOR: Cortez, D’Eliso, Neal, Williams, Coon, and Griffin

OPPOSED: None

The motion passed with all voting Yes.

3. Comments from Board Members and Commission Liaisons

Neal reported the Police Commission’s next meeting would be December 12, and they did not meet in November.

D’Eliso commented on intersection of the nature of tonight’s case allegation to her professional employment and opined a 24-7 crises center would have been an invaluable asset to this situation in a preventative way.

Williams announced she was stepping down as a CRB member after eight years. Chair Cortez thanked Williams for her service to the CRB and the City.

Griffin stated she was sad to lose Williams' institutional knowledge and experience. She referred to the Pride Festival and said planning had begun for the 2025 event.

Chair Cortez welcomed new CRB member Noah Coon, who also introduced himself.

4. Case Review: Allegations of Excessive Force

Eller provided a Power Point presentation of the case summary as follows:

- On July 15, 2023, Sergeant C responded to a request for service for a disorderly subject in Eugene, Oregon, at the residence of the Suspect. Computer Aided Dispatch (CAD) information was available to the officers before their contact, and it revealed the Suspect was mentally diminished, had been combative with officers, had failed to follow lawful commands, previously carried a pocketknife, and had a history of resisting arrest.
- Officer A, Officer B, Officer D, Officer E, and Officer F also responded to the service request. The officers formulated a plan to contact the Suspect.
- Officer F went to the Suspect's open, front door of his/her residence. Officer F requested the Suspect come outside, he/she refused and threatened physical harm to him/her (Officer F). Officer D was also threatened by the Suspect.
- Approximately 26 minutes after officers arrived, the Suspect exited his/her apartment, ran from the officers, was caught by the officers, and taken to the ground. The Suspect actively resisted arrest when confronted by the officers. The Suspect raised his/her legs, kicked Sergeant C, and grabbed his/her handheld Eugene PD radio. Sergeant C was on top of the Suspect and delivered approximately nine focused blows to his/her head/upper body and two knee strikes to his/her upper body. Officer A, Officer B, and Officer D assisted with gaining control and handcuffing the Suspect while Sergeant C deployed the focused blows and knee strikes.
- In Sergeant C's Internal Affairs (IA) interview, he/she stated his/her actions were justified and explained his/her thoughts during the incident. Sergeant C denied he/she violated policy.

Summary of Allegations

1. 800.2 Use of Force: that Sergeant C used force in excess of that which was reasonably necessary under the circumstances when he/she repeatedly struck the Suspect in the face with a closed fist.
2. 103.4.2 Professionalism: that Sergeant C failed to use carefully reasoned discretion or ensure that his/her conduct was neutral during the arrest of the Suspect.
3. 800.2 Use of Force: that Sergeant C used force in excess of that which was reasonably necessary under the circumstances when he/she delivered knee strikes to the Suspect's face.

Eller said the complaint was internally generated (by the Independent Auditor) and the materials provided for the CRB's review included the following:

- Body worn video footage and photographs
- IAPro report, detailing the investigative process
- All correspondence related to the complaint, including internal correspondence
- Adjudication recommendation memo from the Chain of Command and Chief
- Adjudication recommendation memo from the Auditor

- All related reports and records
- Relevant EPD policies

Chair Cortez, for new member Coon, described the organization of the CRB discussion.

Complaint, Intake, Classification, and Monitoring Discussion

Williams said she agreed with the classification of the allegations and appreciated how thoroughly the Sergeant responded. She added it seemed odd that it took so long to get through the process.

Chair Cortez said he appreciated the Internal Affairs (IA) investigation and the work of Lindsey Foltz and staff at the Auditors Office.

Coon asked what the difference was between adjudication terms, *Sustained* and *Within Policy*. In response, Rob Eller provided examples of each.

Griffin said she agreed the monitoring took longer than usual, and added she agreed with the classifications.

Coon asked about neutrality, professionalism, and role of the CRB. Eller, Interim Auditor Gissiner, and Chair Cortez responded.

Coon said he agreed the length of the monitoring seemed lengthy.

Neal said he agreed with the classification. He asked about IA reports and how those reports reached the Auditors Office. Cindy Coleman replied that checks and balances existed providing varied opportunities for complaints to be lodged.

D'Eliso introduced herself to Coon as a newer member of the CRB herself. She said she had not yet seen a case generated by the Auditor's office, and she found it interesting that the Auditor's Office and police command completely disagreed.

Relevant Policies and Practices; Training Considerations Discussion

Chair Cortez referenced an interview and asked what training an EPD officer received relating to use of force de-escalation. Lieutenant Nelson replied that having more officers could escalate a situation, but they do try to mitigate strikes to the head, even when lawful, and added but he did not know the specifics of this case. He provided an example of a threat risk when a person's hands were hidden beneath them.

Chair Cortez asked that a "glancing blow" was. Lieutenant Nelson replied that was a blow that did not connect or perhaps veered to the side.

Chair Cortez asked about data entry and whether the number of strikes were entered on a form. Lieutenant Nelson replied that the information is to the best of the officer's recollection.

Chair Cortez asked if officers had to count the blows they are executing. Lieutenant Nelson replied, no.

Chair Cortez questioned *reasonableness* when different blows were executed.

Griffin said she appreciated that the response could be within policy but looked violent to the public. She asked about techniques to leverage a suspect's resistance. Lieutenant Nelson provided examples that *aimed at getting the suspect on their stomach or side*. Griffin asked if the CRB could receive this training information in February.

Neal said *reasonableness* was always of interest to him and how it fit with the vision of professionalism even if within policy. He said it was telling that it was not a department-generated complaint. He said he was interested in knowing what training was or could be provided officers as an alternative to the sort of response involved in this case.

D'Eliso said her thoughts were more about the details of the case than the specific allegations and was concerned about whether the situation could have been avoided. She referred to previous calls involving the witness and was not clear on why this particular call escalated into this behavior. She asked how CAHOOTS or a Mobile Crisis Unit could have fit into the response. Lieutenant Nelson said the call was not a CAHOOTS or Mobile Crisis Unit call but was a case where a suspect was trying to get into an apartment, which necessitated a police response to make the environment safe.

Interim Auditor Gissiner opined these cases would increase, CAHOOTS was no longer the default responder, and said discussions were occurring at the County level. He added CRB could obtain information about the conditions under which CAHOOTS or Mobile Crisis Units are called.

D'Eliso said she would also like to know how the new Deflection Program could be involved. She asked about the use of force as opposed to a taser or pepper spray and what studies revealed about those types of intervention. Lieutenant Nelson provided examples of the use of pepper spray and tasers and added he was not aware that taser or pepper spray intervention-related instruction was taught.

D'Eliso asked if punches were pain compliance. Lieutenant Nelson replied, yes.

Williams commented that while the officers were at the door the de-escalation conversation was good. She said a Sergeant was a higher rank than a patrol officer and asked if a Sergeant should be held to a higher standard. Lieutenant Nelson replied, yes.

Williams commented that nine punches seemed excessive, the person was barefoot and could not have run far, and the area appeared fenced. She asked if a perimeter couldn't have been set up by police as a strategy. Lieutenant Nelson replied that it is a question of perception, and each officer is involved in their own piece of the situation.

Williams asked when other officers would have stopped the officer from punching nine times. Lieutenant Nelson replied, when the suspect was no longer a threat.

Williams asked if the officer should have backed off when kicked in the head. Lieutenant Nelson replied that typically, in the middle of a fight they removed themselves if they were unable to continue. He added that he still worked in patrol and did not always have the luxury of stepping away but always wants to de-escalate the situation.

Coon commented that most of his questions had been asked and answered. He asked about de-escalation training. Lieutenant Nelson said de-escalation techniques were included in Crisis Intervention Training (CIT).

Chair Cortez asked if there was a policy regarding the use of the thin blue line flag. He said he also noticed a punisher skull logo on one of the officer's phones. Lieutenant Nelson replied that he was not aware of a policy.

Interim Auditor Gissiner said there were policies regarding symbols, but he did not have the citation handy.

Chair Cortez said he asked because in the October case allegation the City issued cell phone was a central element, and it caught his attention.

Williams stated it was a violation of the federal flag code.

Adjudication Discussion

Griffin said it was reasonable why officers did not think it was excessive use of force, but it was to the Auditors Office. She said sometimes there is a difference in opinion between Chief and the Auditor. She said she thought there was an excessive use of force.

Coon said he agreed with Griffin regarding the use of force. He asked Eller why it caught his attention. Eller replied it was the totality of the situation, but he could not remember the details as it occurred a year and a half ago.

Williams quoted EPD standards and portions of the interviews. She said she thought allegation 3 should have been sustained.

Neal said the final allegation hinged on neutrality and he wondered if the Sergeant was biased and that led to a higher use of force than necessary. He said he agreed with the chain of command because there is reasonableness when officers support other officers. He asked Eller, as a former officer, what led to the decision to file a complaint. Ellis replied he thought it was beyond reasonable, considering the number of other officers present.

Interim Auditor Grissiner opined that in hindsight the response may cross the line but, in the moment, officers had to assure they won. He questioned how, in the heat of the moment, would an officer know to back off.

D'Eliso said she looked at risk factors and noted EPD counted on the risk of the suspect having a weapon, but the Auditor viewed the risk as whether the suspect would escape or not. She said she did not remember seeing information about the suspect having a weapon to condone the force. She reiterated she hoped that the situation would have been avoided all together.

Williams said she considered the totality of the situation and force was warranted, but not that much force.

Chair Cortez noted an interview transcript in which one of the responding officers described the resistance as *average* for someone who was facing arrest. He asked if the case really reflected an average amount of force regarding resistance to arrest. Lieutenant Nelson replied he thought there was some initial disagreement regarding resistance to arrest.

Chair Cortez noted that a Captain had used the term *proportionality* and asked what that term meant. Lieutenant Nelson replied that he could not comment on that term specifically.

Griffin said the question was whether the response was average. Lieutenant Nelson said he could not affirm that, but the response was not uncommon. He said when an officer was dealing with someone who was on the ground on their back, it heightened an officer's concerns. He said people fighting on their back was an aspect of ground fighting.

Griffin asked about data regarding frequency of the use of force. Coleman referred to her online annual report which details use of force, and said the majority of contacts with suspects did not result in use of force.

Adjudication

Griffin said she Sustained on all 3, agreed with the Auditor.

Coon said allegation 1 was Within Policy but Sustained (with the Auditor) allegations 2 and 3.

Neal said allegations 1 and 2 were Within Policy and allegation 3 was Sustained (with the Auditor).

D'Eliso said she Sustained (with the Auditor) allegations 1 and 2 and cited Insufficient Evidence for allegation 3.

Williams said she Sustained on all 3, agreed with the Auditor.

Chair Cortez Sustained (with the Auditor) on allegations 1 and 2 and cited Insufficient Evidence for allegation 3.

Interim Auditor Gissiner, referred to an earlier discussion, and read a provision of law relating to police officer use of symbols. He also referred to recent reports relating to the use of force.

5. Training Topic: Handcuffing and Flexible Restraint Devices

Sergeant Richards displayed and described handcuffs issued by EPD, including the flexible restraining device, for use with handcuffs to restrain ankles. He described three types of handcuffing, depending upon the risk involved with the suspect or to prevent self-injury. He said handcuffs can be removed when the threat no longer exists, but typically are removed at the jail.

Interim Auditor Gissiner opined the average person did not want to bring their arms back and asked how difficult handcuffing was for an officer. Sergeant Richards replied that one officer-handcuffing was difficult, and the training is typically for two-officer handcuffing.

Griffin asked if handcuff keys were the same for all handcuffs. Sergeant Richards replied, yes.

Interim Auditor Gissiner asked about the use of handcuffs ties for example flex cuffs. Sergeant Richards replied that some units used them, such as the mobile crisis response team, and they were used in some crowd control conditions, but they were not as small as zip ties.

Chair Cortez asked why officers had to buy handcuffs. Sergeant Richards said policy did not require two, but practically, officers needed two sets.

6. December Auditor Report (attachment)

Interim Auditor Gissiner reported on recent statistics relating to the number of complaints filed. He introduced himself to the newer members of the CRB and opined that during his first term as Auditor, there were fears in calling the police. He said he finds today that perceptions are that people fear the police will not respond to a crime because of limited resources. He said there are a fair number of complaints about police not responding to calls. He also commented that his perception today is that police are more interested in problem solving compared to her term in 2009. He lamented on the number of police contacts with people on the drug fentanyl and said it was a tragedy for the community.

Interim Auditor Gissiner credited the work of the EPD in establishing Eugene as a model city, was impressed with its great staff and commented that he felt safer today in Eugene than he felt in 2009. He concluded that Eugene's police activities were trending in the right direction.

7. Public Comment

There were no requests to provide public comment.

8. Closing Comments

Neal welcomed Noah Coon. He said he appreciated the comments about the use of force as a system tool and added that until there was a systematic response to people in crisis, this sort of use-of-force event was going to occur.

D'Eliso said she was very conflicted with this case and appreciated the ability for members to agree and disagree. She commented she was providing support to the Mobile Crisis Team and would be happy to help CRB understand what its future plans were.

Williams relayed that Leah Pitcher said "hi" and that Leah loved her new job.

Williams said she was hopeful that the City Council was being responsible in its search for a new Auditor and that it would use a professional recruiter as the job was very important. She thanked Rob, Beatrice, and Amanda for their staff work.

Chair Cortez gave kudos to staff who do the work by behind the scenes to assist CRB members. He thanked Carolyn Williams and said he had learned a lot from her and appreciated her service. He welcomed Noah Coon. He said he appreciated Leah Pitcher for helping the CRB navigate the community

aspect of the work through the pandemic and into Zoom remote meetings. He said that he thought disagreement was a sacred civic value.

Griffin welcomed Noah Coon. She said she was grateful to staff and while disappointed that Leah had left, she appreciated Mark Gissiner filling in. She said she was disappointed that Carolyn Williams was leaving the CRB.

Coon said he appreciated the warm welcome from members of the CRB.

9. Adjournment

Chair Cortez stated the next meeting would be February 11th, as there was no January meeting. He adjourned the meeting at 7:53 p.m.

(Minutes transcribed by Pam Berrian, LCOG)

2024 ANNUAL REPORT



Independent Police Auditor

101 E. Broadway, Suite 230 Eugene, OR 97401 541-682-5016

www.eugene-or.gov/policeauditor

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Introduction

Welcome to the Independent Police Auditor's 2024 Annual Report. In the following pages you will find an overview of our activities and achievements throughout the year, reflecting our commitment to accountability, fairness, and transparency.

2024 was a year of many transitions in terms of staff and leadership. We would like to offer our sincere thanks to Vicki Cox for her 18 years of service with the City of Eugene as a Senior Program Coordinator, Leia Pitcher for her 14 total years of service as Deputy Auditor and then Auditor, and Mark Gissiner for serving as Interim Auditor from September 2024 until April 2025.

Despite these changes, the office demonstrated great resilience and continued to deliver the highest quality service to our community. This was made possible because of the well-designed and high functioning system that has been stewarded throughout the years along with the steadfast efforts of both new and veteran staff.

As the charts to the right illustrate, though complaint volume was down slightly compared to the five-year average, the volume of classifications was more consistent. This is because each complaint can generate a variety of classifications or allegations against one or more employees. The volume of classifications therefore is a more accurate indicator of the volume of work undertaken by our office than complaints alone might indicate.

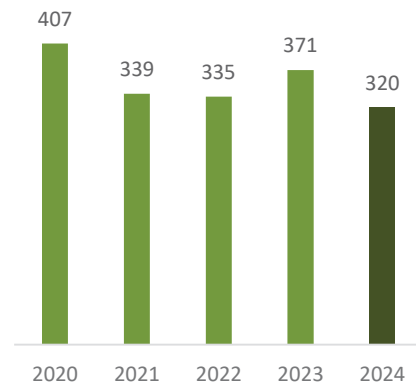
I am deeply grateful for the current team – Rob Eller, Beatriz Otero-Hernandez, and Amanda Cordova– for their tireless commitment to this office. It is an absolute privilege to work alongside such dedicated and capable public servants.

Thank you for your interest in our work. We invite you to explore this report and reach out with any comments, questions or concerns. It's an honor to serve this community.

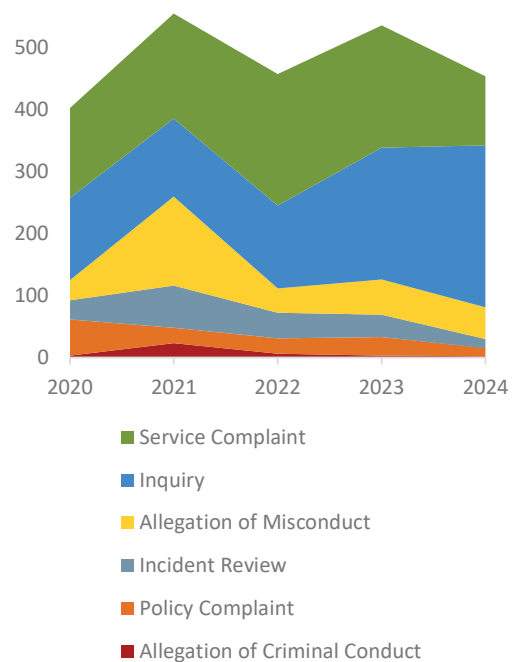
Lindsey Foltz

Interim Independent Police Auditor

Complaint Intake
Volume
5-Year Trend



Classification Type & Volume
5-Year Trend



What is the Mission & Purview of the Independent Police Auditor's Office?

MISSION

To provide an accessible, safe, impartial and responsive intake system for complaints against Eugene Police Department (EPD) employees and to ensure accountability, fairness, transparency and trust in the complaint system through the intake, classification, auditing and adjudication process of the complaint system; and to support and staff a Civilian Review Board (CRB) that monitors the work of the Independent Police Auditor, reviews complaint cases and provides policy recommendations to the EPD and the Police Commission.

Mission and Purview

The Independent Police Auditor's Office (IPAO) was established by [charter amendment](#) in 2005 to provide an external mechanism for the independent receipt, classification, and routing of complaints against sworn and non-sworn EPD employees; contract for outside investigations when necessary; and provide monitoring of EPD internal investigations of allegations of misconduct and supervisors' investigations of service complaints. The charter amendment also authorizes the auditor to make recommendations regarding adjudications, policies and training to the Police Chief; prepare reports concerning complaint trends and police practices; and act as a liaison and staff support for a civilian review board. The IPAO provides services in an efficient, clear, and accessible manner, and is committed to the mission of transparency and accountability for police services in Eugene. Eugene City Code [2.450-2.456](#) further details the IPAO's Office functions.

FUNCTIONS OF THE INDEPENDENT POLICE AUDITOR'S OFFICE

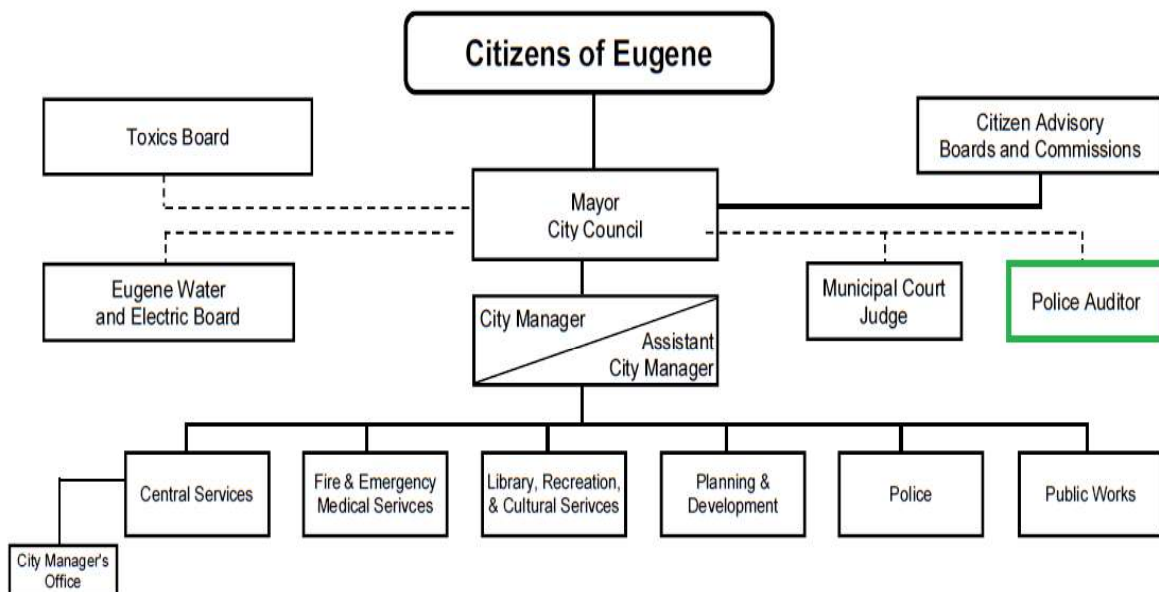
- COMPLAINT INTAKE
- CLASSIFYING COMPLAINTS
- MONITORING INVESTIGATIONS
- RECOMMENDING ADJUDICATIONS
- RECOMMENDING POLICY AND TRAINING
- REPORTING TO THE COMMUNITY
- SUPPORTING THE CIVILIAN REVIEW BOARD

Where does the Independent Police Auditor's Office fit within the City?

INDEPENDENT CIVILIAN POLICE OVERSIGHT

The IPAO and the CRB operate independently. The IPAO reports directly to, and is funded by, the Eugene City Council. The IPAO is an independent, civilian entity performing oversight of the EPD; neither the funding nor management overlap with EPD. No employee of the IPAO's office is an employee of the EPD.

City of Eugene Organizational Chart



The legitimacy and effectiveness of the IPAO relies on this independence of leadership and funding, along with unfettered access to all records and investigatory materials required to execute our core functions.

How does the Independent Police Auditor's Office Accomplish its Mission?

INTAKE SOURCES

- EXTERNAL
- INTERNAL
- AUDITOR

INTAKE

To ensure access and safety the IPAO has a wide variety of ways to receive complaints including phone, email, website, walk-in and mail. Complaints can be generated externally by community members (including anonymously and through a third-party), internally by EPD staff, or by the auditor.

CLASSIFICATIONS

- POLICY
- SERVICE
- INQUIRY
- INCIDENT REVIEW
- ALLEGATION

CLASSIFY

The authority to classify complaints rests with the Independent Police Auditor alone. This classification determines the path of investigation for each complaint. The Auditor may also dismiss complaints if it falls outside the jurisdiction of the IPAO, isn't timely (as defined by City Code), or is better remedied in an alternate venue such as the courts.

MONITORING ACCESS

- REPORTS, VIDEO, CALL RECORDINGS
- INTERVIEW PARTICIPATION

MONITOR

The IPAO actively monitors investigations and has complete access to all reports, body-worn and in-car video footage, call logs, dispatch records, email correspondence, and interviews with witnesses and involved parties. The Auditor has the ability to request additional investigative steps if necessary.

RECOMMENDATIONS

- ADJUDICATION
- POLICY & PRACTICE

RECOMMEND

Based on review of investigatory materials, the Auditor makes allegation adjudication recommendations. These recommendations are documented in adjudication memos that are shared with the Chief and chain of command at EPD.

REPORTS TO PUBLIC

- CLOSING LETTERS
- NEWSLETTERS
- ANNUAL REPORT
- TREND REPORTS
- CRB

REPORT

Complainants receive a closing letter informing them of the classification and outcome of their complaint. The Civilian Review Board selects cases to publicly review. The Auditor issues monthly newsletters and this annual report. When appropriate, the Auditor also generates trend reports.

2024 Outcomes for the IPAO

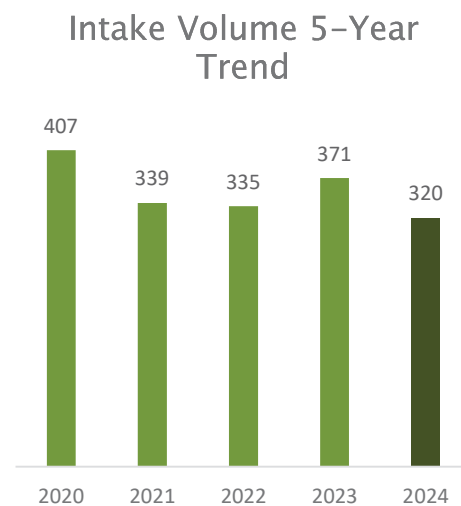
Complaint Intake, Classification, & Investigation

Overview

The IPAO serves as the intake point for all complaints about EPD employees. In 2024 the office received 320 complaints. Additionally, the IPAO reviewed all reportable uses of force and vehicle pursuits. During 2024, there were 173 reportable use of force incidents and 8 reported vehicle pursuits. The IPAO also serves as one of several intake points for police commendations of which there were 362 in 2024.

Complaint Intake

Our office maintained hours for unscheduled walk-in intakes during 2024 and continued to accommodate in-person intakes by appointment. We also continued to receive complaints by phone, email, mail, social media, and through our online portal. We received a total of 320 complaints, which is lower than 2023 but fairly consistent with 2021 and 2022. As in years past, we had a significant number of internally generated complaints, 16 total, which were initiated by EPD employees. There were also 9 Auditor generated complaints in 2024.



The most common method used by community members to file complaints with our office continued to be the telephone (52%). Community members also submitted a significant number of complaints electronically via the online portal (22%) and email (7%). The portal has been fully operational since late 2022 and allows for truly anonymous complaints. The portal also allows complainants to upload photos, videos, and documents for our review. It also allows us to send timely status update notifications via text or email upon the request of complainants. Since its implementation, portal use has continued to grow and has proven a valuable tool.

In 2024 we continued to conduct robust preliminary investigations prior to classification. This included a thorough review of all available materials, such as those submitted by the reporting party, related body-worn video, police reports, and any other pertinent information. We are grateful to EPD Internal Affairs staff for their responsiveness and cooperation in providing essential materials for our preliminary investigations, despite the steep increase in our requests for information.

With this more robust preliminary investigative process in place, the Auditor team was able to close out 106 complaints without further investigation or intervention from EPD supervisors. This represented about a third of the complaints we received. With the Auditor team's thorough preliminary investigative process, we have been able to more accurately classify the complaints that do require follow-up from EPD and have been able to free up time that EPD supervisors would have spent addressing complaints where, often, no policy violations were alleged or discovered.

Of the complaints that were closed out following preliminary investigation, the IPAO was able to identify 49 complaints in which there was no alleged or observed policy violation. The next most common reasons for dismissals were because the complaint was related to an employee or practice outside the jurisdiction of the IPAO (20) or were not timely (12). The timeliness requirements were established by City Code ([Section 2.456\(1\)\(k\)-\(l\)](#)) and dictate that under ordinary circumstances our office must receive service level complaints within 60 days and that major allegations of misconduct must be submitted to our office within 120 days of the incident. In 7 cases the employee was not identifiable. In 8 cases there was a more appropriate alternate remedy such as the courts. And finally, in 5 cases the complaints had been previously reviewed. Two cases were administratively closed, meaning there was insufficient evidence to complete an investigation, but they could be re-opened in the future if further information becomes available.

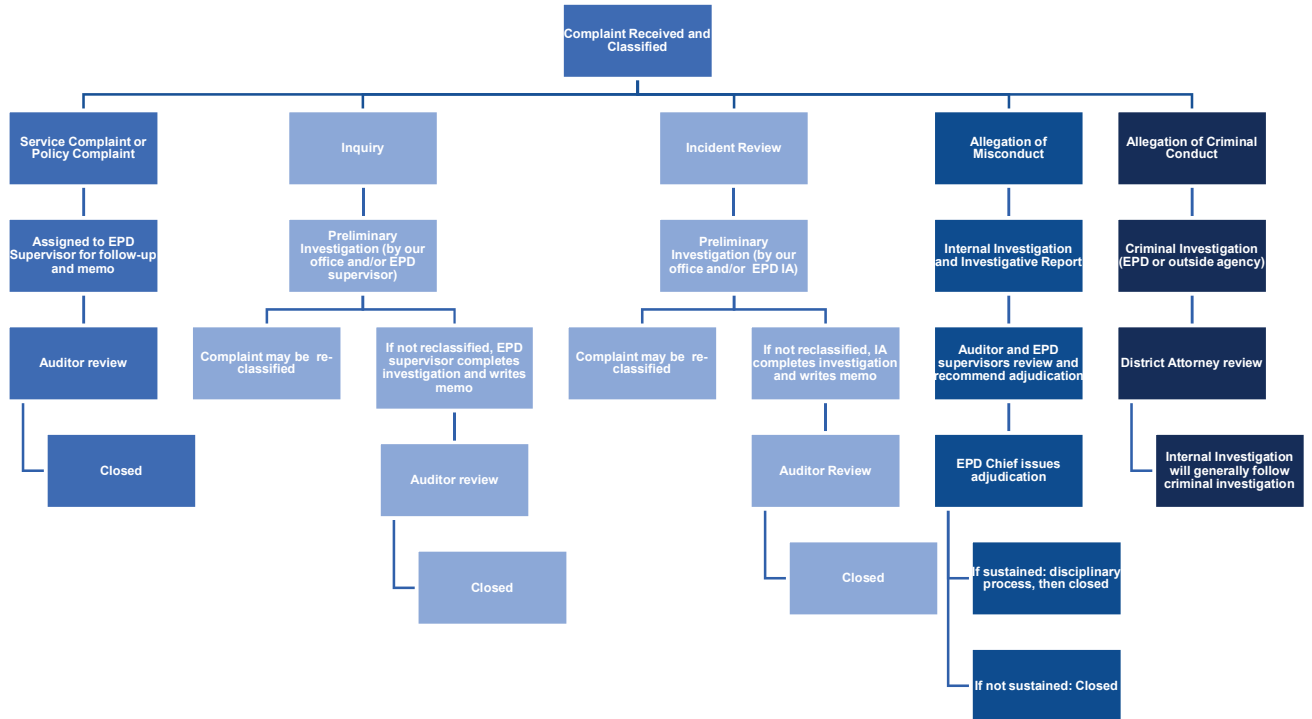
This means that 212 complaints led to further follow-up investigation by EPD during 2024. Of these, 206 were completed within the calendar year and 209 were closed by the writing of this report. For those cases that were completed before the writing of this report, on average they were closed within 26 days, which is consistent with 2023. For the three cases that remain open, on average, they have remained open about 160 days. Of these three cases one was classified as an Allegation of Criminal Conduct, and one was classified as an Allegation of Misconduct, and one was a Respectful Work Environment complaint.

Classifications by Category

Once a complaint is received, the Auditor reviews it to determine if it is within the jurisdiction of the IPAO, meets timeliness requirements elaborated in the City Code, and that the IPAO is the most appropriate and effective venue for the nature of the complaint. If the complaint is not dismissed, then it is classified by the Auditor. This classification determines the investigation and resolution process for that complaint. The following are the classifications used by the Auditor:

- Policy Complaint
- Service Complaint
- Inquiry
- Incident Review
- Allegation of Misconduct
- Allegation of Criminal Conduct

Once a complaint has been classified it follows the corresponding path outlined in the flow-chart on the following page.



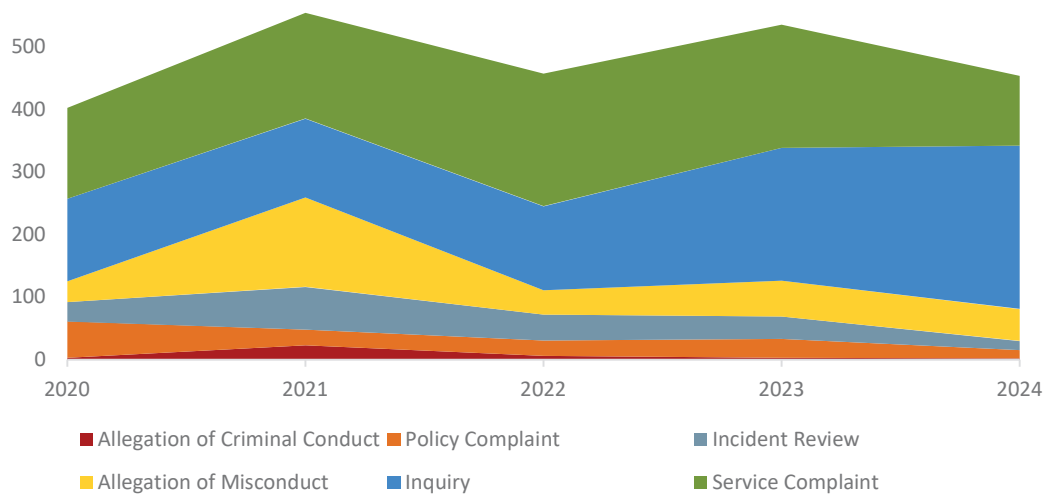
- The Auditor may recommend a complaint be resolved through mediation, which follows a different process.
- The CRB may review any closed complaint involving a sworn Eugene Police employee, regardless of classification.
- Community Impact Cases and complaints against the EPD Chief follow different processes as set out in Eugene City Code §2.244 and §2.454, respectively.

In 2024, the auditor classified complaints in the following way:

Complaint Classifications	2024
Policy Complaint	13
Inquiry	187
Service Complaint	88
Incident Review	13
Allegation of Misconduct	17
Allegation of Criminal Conduct	2
Total	320

However, a single complaint may generate multiple classifications or allegations against one or more EPD employees. The following chart captures that volume including the number of classifications and allegations against employees.

Classification Type & Volume: 5-Year Trend



Together, these charts demonstrate that while the number of complaints in 2024 was lower than the five-year average, the volume of classifications and allegations generated from each complaint were fairly consistent with the five-year average. Inquiries were the most common classification, followed by service complaints. This is a change from historical patterns and is likely due to a shift in classifications resulting from a more robust preliminary review process that began in January 2022. Also of note, though

complaint volume was down, there were a similar number allegations of misconduct in 2024 compared to 2023.

Service Complaints, Policy Complaints, and Inquiries

Inquiries, policy complaints, and service complaints are all forwarded to EPD supervisors for follow-up with the reporting party; all three are therefore categorized as “supervisor action.” Our office reviews the complaint before it is closed and contacts the reporting party with a closing letter and a survey. A summary of these complaints is included as Appendix B.

There were 88 service-related complaints during 2024, down from 140 in 2023. Complaints related to level of service remained high for the second year in a row, and at 44 comprised fully half of service complaints. EPD began tracking more granular data on service level complaints in 2023 which allows for some tentative insights into this recent trend in service level complaints. Community members complained about untimely patrol response in 31 of the 44 service level complaints. Insufficient follow-up from officers after an incident comprised 13 of the service level complaints. These two categories taken together suggest community frustration with police service even when calls are properly dispatched and prioritized, and typically in the absence of officer misconduct.

There were 29 performance-related service complaints, 9 courtesy complaints, 5 related to conduct, and 1 disputed facts. Of the service complaints, 70 were addressed by an EPD supervisor, reviewed by the IPAO and then closed. The remaining 18 were dismissed by the IPAO following preliminary investigation.

There were 13 policy complaints during 2024, significantly lower than any point in the past five years. All of these were addressed by an EPD supervisor including follow-up with the complainant.

Most complaints classified as inquiries were addressed by an EPD supervisor, reviewed by our office, and then closed (100 of 187). One Inquiry remained open as of the writing of

Service Complaint

A service complaint alleges minor misconduct.

Policy Complaint

A complaint is classified as a policy complaint when the concern is related to EPD policy rather than conduct.

Inquiry

A complaint is classified as an inquiry when a policy or service-related complaint is received but the auditor would like an EPD supervisor to conduct an initial investigation to determine basic facts. Inquiries can be reclassified if needed.

this report. The remaining 86 were dismissed and closed following a preliminary investigation by the IPAO. In those cases, the complainant was notified by the IPAO of the results of that preliminary investigation.

Incident Reviews

Incident Reviews were created in 2016 as an intermediate category between allegations of minor misconduct (“Supervisor Actions”, see above) and allegations of serious misconduct. The IPAO participates in Internal Affairs’ investigations into Incident Reviews, and prior to interviewing the involved employee, the Auditor consults with Internal Affairs to determine if the complaint should be reclassified or if the investigation to date is thorough, fair, and complete. Therefore, complaints classified as Incident Reviews may be closed in that classification or reclassified either up to an Allegation of Misconduct or down to a Supervisor Action depending on the results of the investigation.

Incident Review

A complaint is classified as an incident review when serious misconduct is alleged but a preliminary investigation by EPD Internal Affairs is needed. Incident reviews can be reclassified if appropriate.

In 2024, we initially classified 25 complaints as Incident Reviews. Of these, there were 12 that were reclassified after the IA investigation; 8 of these were re-classified to Allegations of Misconduct and 4 were re-classified to Supervisor Actions.

The remaining 13 Incident Reviews were investigated by an Internal Affairs sergeant (in collaboration with the IPAO) and closed after necessary follow-up and without re-classification. These Incident Reviews were related to performance (4), conduct (3), use of force (3), and discrimination (3). Summaries of all Incident Reviews are included in Appendix B.

Allegations

Misconduct/Policy Violations

In 2024, the IPAO classified 51 specific allegations of misconduct against 14 EPD employees (arising out of 17 complaints). A summary of all allegations is attached to this report as Appendix A. The top five most common allegations were related to adherence to laws and department policy, judgement, truthfulness, conduct, and integrity.

Allegation

A complaint is classified as an allegation when serious misconduct or criminal conduct is alleged.



Criminal Allegations

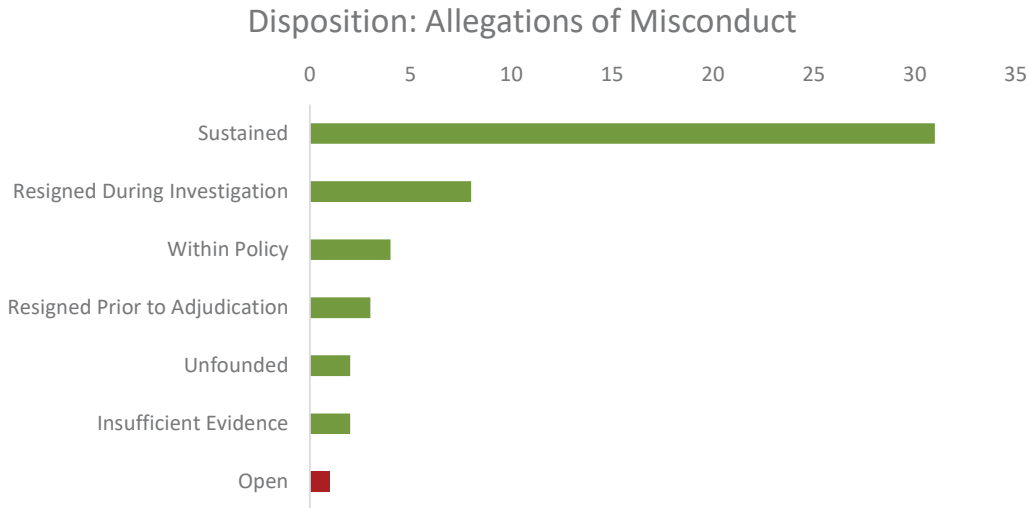
There were 2 complaints classified as allegations of Criminal Misconduct because they contained elements of alleged behavior that if true, would have violated the law. In one of those complaints the employee resigned during the investigation. The other one remains open and is still under investigation by Oregon State Police. The timelines for these criminal investigations tend to be more protracted because they are typically investigated by outside agencies.

Disposition of Allegations of Misconduct

Of the 51 specific allegations of misconduct, one remains open as of the writing of this report and is awaiting final adjudication by the Chief of Police. For the others that have been completed, the Chief of Police sustained 31 allegations (stemming from 10 complaints).

There was insufficient evidence to prove two allegations, four were found to be within policy, and two were unfounded. One employee resigned during the allegation investigation (related to eight misconduct allegations) and one employee resigned after

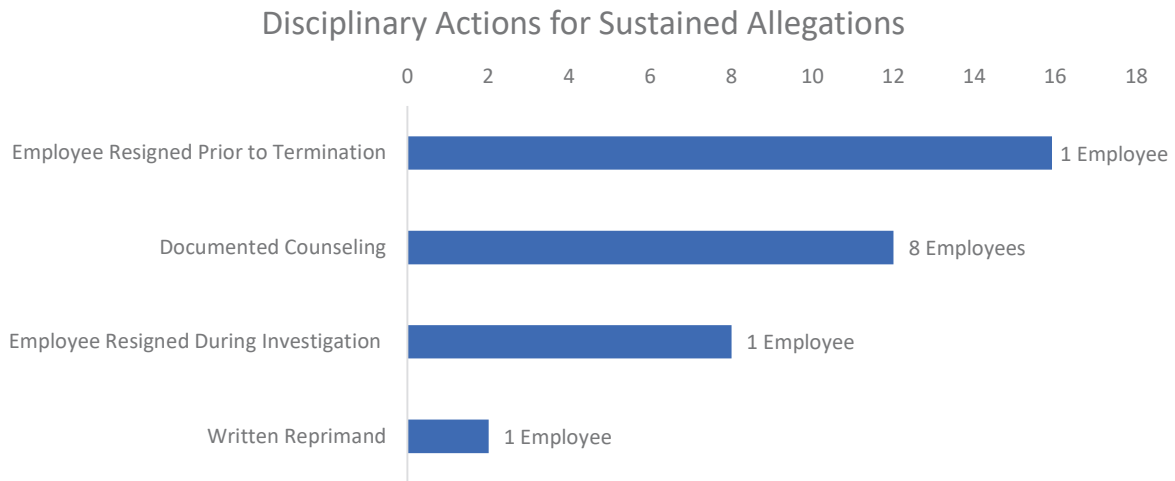
the investigation was complete but before the adjudication was finalized (related to four allegations of misconduct). In 2024, no cases were resolved through mediation.



Sustained Allegations and Discipline

According to the Ordinance, the IPAO is allowed to report on disciplinary trends, which we do annually in these reports. We are not given the authority to be involved in making recommendations for, or commenting on, discipline of EPD employees. Final discipline authority rests with the Chief of Police. The following chart and table highlight the disciplinary outcomes for sustained allegations and which policies were violated. There were 31 sustained allegations of misconduct involving 11 employees.

Policies Violated	Allegations
Conduct	19
Performance	9
Use of Force	1
Courtesy	1
Respectful Work Environment	1



Deadly Force Investigations

Police use of deadly force is one of the most sensitive issues our office covers, and rightfully so. Our role in oversight is primarily to ensure that investigations into the use of deadly force are thorough, fair, and complete, and then to provide transparency into the investigative process (to the greatest extent permissible under current state law). The process of investigating deadly force can be frustrating, as our office (at least initially) takes a secondary role to the Lane County Interagency Deadly Force Investigation Team (IDFIT), as set out by state law and local intergovernmental agreement. However, City code requires that our office is notified promptly of any critical incident, including police use of deadly force, and either the Auditor or an Associate Auditor respond to the scene to observe and perform a walk-through. We also review IDFIT investigations upon their closure and release by the Lane County District Attorney to determine whether any further administrative investigation is necessary. We participate in the Deadly Force Review Board, which is convened by EPD pursuant to policy and examines the actions of the involved employees, focusing on potential policy violations and lessons learned. However, the Auditor's Office is not a voting member of the Force Review Board under current EPD policy. The closed investigative file is available for review by the Civilian Review Board in their public meetings.

In 2024 EPD used deadly force in two incidents, resulting in one injury and one fatality. IDFIT was activated and investigated both incidents and was comprised of multiple law enforcement agencies. In both cases, our office was notified in a timely manner. In both cases, IDFIT completed its investigation in a timely manner and forwarded it to the District Attorney, who found that the officers' actions were lawful. For the use of deadly

force that resulted in a fatality, the internal EPD Deadly Force Review Board was subsequently convened and included participation from the IPAO as a non-voting member. During that process involved officers' actions were examined through the lens of current policy and training. There were no resulting allegations of misconduct related to any of the involved officers. There were, however, several important procedural processes that were identified for improvement in future critical incidents. The other investigation is still open, and the Deadly Force Review Board has not yet been convened; we will report on the results of this process when they are available.

2024 Administrative Progress and Results

Overview

In addition to receiving, classifying and monitoring the investigations into complaints, IPAO staff actively support the Civilian Review Board, regularly attend Police Commission and Human Rights Commission meetings to address inquiries related to our work, and conduct extensive public outreach. Throughout 2024, our office made significant progress in enhancing both efficiency and accessibility. Our auditing team, in collaboration with the EPD Internal Affairs team, conducted thorough preliminary investigations, resulting in fewer complaints necessitating follow-up from EPD supervisors.

Moreover, our public complaint portal was operational throughout the year, facilitating seamless communication between our office and reporting parties while improving accessibility and functionality for the community. Additionally, we engaged in ongoing evaluation of our website, office space, and intake processes ensuring they are increasingly user-friendly and inclusive. We also continued the practice of hosting all Civilian Review Board meetings in a hybrid format, accepting public comment from both in person and virtual participants.

Personnel Updates

In 2024, the office went through a number of staffing and leadership transitions that included the loss of two long-tenured employees, Auditor Leia Pitcher and Senior Program Coordinator Vicki Cox. The transition to a triangulated structure, comprising the Independent Auditor and two Associate Auditors that was implemented by Auditor Pitcher in 2022 created a resilient foundation despite these changes since the Associate Auditors were both cross-trained in all elements of office function.

Our Senior Program Coordinator plays a pivotal role in ensuring the delivery of exceptional customer service and facilitating the smooth progression of complaints through our process. We were able to fill that position and facilitate training by our outgoing Senior Program Coordinator to ensure a seamless transition. Meanwhile, our Community Engagement Coordinator and Translation Specialist has been instrumental in driving our accessibility initiatives forward. She has diligently updated our website and outreach materials and personally engaged in events throughout the Eugene community through her outreach efforts. She has also stepped up to fill the gaps left by leadership transition. The cohesive nature of our team has been instrumental in our achievements over the past year.

Staff Support for Civilian Review Board

The CRB met 10 times in 2024. They held public meetings to review cases in February, March, April, June, September, October, November, and December. These meetings were hybrid meetings with an option to attend in person at the Independent Police Auditor's office. These meetings were recorded and are available to the public in accordance with Oregon Public Records Law. The IPAO also contracts with the Lane Council of Governments to record and post robust minutes of CRB meetings. Both meeting recordings and materials are accessible through the [Civilian Review Board webpage](#).

The CRB reviewed eight cases involving allegations of misconduct, four cases that were reviewed and closed by supervisors, and conducted one intake review. This required ongoing dedication from our staff who are committed to providing excellent support for the board and spent numerous hours each month coordinating with the CRB chairs to develop agendas and select cases to review, compiling and delivering case files to CRB members, hosting and recording the hybrid meetings, and uploading materials to the public facing website. The CRB Annual Report can be found on the CRB website.

The CRB has a formal liaison to the Police Commission and an informal, informational liaison to the Human Rights Commission. These volunteers worked extensively to coordinate communication between those bodies and the CRB in addition to their CRB duties. The Police Commission liaison focused on bringing CRB concerns from case reviews to the Commission for relevant improvements to EPD policy.

As established by ordinance, the Auditor also collaborated with the mayor to convene a community panel to review CRB applications and forward appointment

recommendations to City Council consideration. During 2024 this process was done two times, once to fill vacancies at the beginning of the year and once more to fill a mid-year vacancy. This was done in a hybrid meeting format. The panel submitted its recommendations to Council, who appointed new CRB members Britni D’Eliso and Noah Coon.

Community Outreach Efforts

In 2024, our community outreach efforts grew significantly, marked by the successful rebranding of a key community event to better engage our Spanish-speaking residents. We continued a successful collaboration with other City of Eugene departments to enhance our presence at public events and continued to provide translation services to support broader access to City programs and services. In an effort to improve accessibility, we also updated our webpages and printed materials and made a greater effort to have an online presence to keep our community informed in a timely manner.



Throughout the year, staff actively participated in a wide range of community events, trainings, and presentations. These engagements were instrumental in building stronger relationships with community members, particularly those from historically marginalized groups who may have experienced distrust toward government institutions.

Our work remains centered on fostering trust, strengthening connections, and ensuring that all Eugene residents are informed about and able to access the services available to them. The following is a summary of select community engagement activities undertaken throughout the year. For a comprehensive list of community outreach efforts, please refer to Appendix C.

Community Resource Fair (formerly Public Safety Forum)

In 2024, we rebranded our longstanding Public Safety Forum as the Community Resource Fair to better reflect the breadth of resources and topics presented at this event. The rebranding aimed to create a more inclusive and welcoming environment for our

Spanish-speaking community members. This marked our fifth time hosting the event, in close partnership with the Eugene 4J Welcome Center, the Office of Equity and Community Engagement, and EPD. The event was held at North Eugene High School and featured our largest number of participating organizations to date, offering a wide array of informational resources, all presented in Spanish.

While continuing to provide a platform for dialogue between public safety and government officials and the community, the expanded scope of the fair included a variety of service providers and City of Eugene departments. This year's panel featured EPD Chief Chris Skinner, Mayor Lucy Vinis, Mayor-Elect Kaarin Knudson, representatives from Looking Glass Services, and OSHA staff. We were once again able to record the Q&A session, allowing community members who could not attend in person to view the content at their convenience.



The event was well attended, with over 40 families representing 208 individuals, alongside 40 community organizations and City of Eugene departments. The event continues to serve as a vital space for connection, support, and information-sharing. We

look forward to expanding the Community Resource Fair in the coming years to reach even more residents and partners.

Aquí en la Ciudad (Here in the City) Weekly Broadcasts

Our office continues to support the production of *Aquí en la Ciudad* (Here in the City), a weekly Spanish-language broadcast designed to keep the community informed about City of Eugene services, programs, and relevant news. Through ongoing collaboration with other city departments, we encourage the submission of timely, City-related content for inclusion in each episode. OIPA staff play a key role in identifying topics, translating content, drafting scripts, and working with a production team to create accessible and engaging videos for our Spanish-speaking residents. While priority is given to City of Eugene updates, the broadcast also features culturally relevant topics and timely community issues. This initiative remains a vital tool in promoting equitable access to information, and we are committed to continuing this work to ensure that all Eugene residents are informed and empowered.

Trainings & Conferences

The Auditor and IPAO staff strive for awareness on current topics affecting our community to ensure adequate services are being provided. For a complete list of trainings attended please refer to Appendix C. Some training highlights include:

- Introduction to Web Accessibility
- Police Executive Research Forum: Promoting Health and Wellness for Women in Policing
- National Association for Civilian Oversight of Law Enforcement (NACOLE) Annual Conference
- NACOLE Training Webinars
 - Using Data and Collaboration to Drive Innovation and Change
 - Disciplinary Matrices in Policing and Civilian Oversight
- EPD Pre-Academy New Officer Trainings
- IAPRO NextGen User Interface Training
- City of Eugene Boards and Commissions Staff Liaison Training
- Criminal Justice Information System (CJIS) Training
- Daigle Law Group Use of Force Summit

Regular Attendance at Recurring Meetings

IPAO staff regularly attended the following meetings to engage with community and strengthen communication and relationships.

- Emergence Latinx Advisory Committee Quarterly Meetings
- Downtown Safety Gathering Meeting

- Civilian Review Board Meetings
- Police Commission Meetings
- Human Rights Commission Meetings
- United for Immigrant Justice Meetings
- Aquí en la Ciudad Weekly Meetings
- Internal Affairs Technical Meetings
- Auditor Supervision meetings with Council Leadership
- Mayor and Auditor monthly meetings
- Regular Meetings with Eugene Police Employees' Association Leadership

Looking Ahead: Goals for 2025-2026

We are proud of our work during a year of several significant transitions, and we are looking forward to building on those accomplishments in the coming year. We will continue to focus on community outreach and fortifying our relationships throughout our diverse Eugene community; we will also continue to collaborate with partners throughout city government, including EPD leadership, to broaden accountability and transparency in policing.

The primary goals for 2025 will be two-fold: to continue the seamless delivery of services under the leadership of an Interim Auditor and to effectively transition leadership to a permanent Independent Police Auditor, pending the conclusion of City Council's recruitment and hiring process.

Other initiatives currently underway for 2025 include:

Accessibility

- We will continue to refine and update the online community complaint portal to improve frequency of updates to community members on the status of their complaints.
- We are in the process of re-designing and digitizing our feedback survey to promote better participation and data gathering.

Core Competencies and Reporting

- We will continue to focus on maintenance of our core competencies: intake and classification of complaints, monitoring and participating in investigations, making recommendations regarding adjudication of complaints, and review of reportable uses of force. We are happy to offer bilingual services, and we hope to continue to expand the availability of those services.

- The Interim Auditor will continue to issue regular Auditor Reports, coinciding with CRB meetings. These will be distributed via email to interested parties and the CRB. They will also be posted to our website and social media pages.
- We have shifted back work that began in 2024 to compile a trend report on gender equity based on quantitative data tracked by the city. Once the office is fully staffed, we will resume this project.

CRB Support

- One final focus of our office is our staffing obligations to the Civilian Review Board. Our board is made up of enthused, involved volunteers, and we prioritize our continued provision of excellent staffing to meet their needs. We have updated how we provide materials to the group, with an eye towards ease and accessibility, and we are updating our onboarding process so that new members feel more confident when they begin their service. We will continue to engage in exit interviews for CRB members who are not continuing with the board; those interviews provided valuable information about the CRB experience, and we plan to continue with these interviews into the future.

Challenges for 2025-2026

The City's financial picture has required that all departments take a close look at their budgets and find opportunities for efficiencies. We will continue to operate within our means and utilize our staff resources to maximize overall benefit to the community without waste. Our office is small, and we require a correspondingly small portion of the General Fund, but we are conscientious about our financial stewardship of taxpayer money and will navigate these lean financial years responsibly and in alignment with our mission and values.

Staffing changes and turnover at EPD continue to impact the types of complaints we receive. As noted above, service level complaints – where the service is either not delivered in a timely fashion or is not in line with the reporting party's expectations – are increasing.

This office has weathered incredible change over the past few years including the pandemic, increased community focus on police and oversight services, and the turnover in the Auditor position. We have remained stable and responsible throughout, resilient and flexible in how we provide service and unwavering in our commitment to our community.

Conclusion

Despite being less than fully staffed during portions of 2024, we have been able to fulfill our core mission professionally and efficiently by re-prioritizing work, shifting staff assignments, and temporarily increasing hours of some existing staff. Our team is experienced, engaged, and committed to this work. We bring diverse perspectives and backgrounds to our work, allowing us to connect with the many populations with whom we interact. The culture of our office is collegial and respectful of each other, and we carry that culture in all our professional contacts.

We are committed to continuing to provide meaningful, independent, civilian oversight of EPD in a cost and time-efficient manner, and we will continue to engage with the community and city staff to improve our services and meet the needs of our community in 2025 and into the future.

We wish to thank the outstanding volunteers on the Civilian Review Board, past and present, as well as the members of the Police Commission and the Human Rights Commission, for volunteering their time and donating their labor to improve police and community oversight.

We also want to thank the City Manager's Office, the City Attorney's Office, and the EPD staff who have all aided our office in accomplishing its core function and goals. Specifically, EPD Chief Chris Skinner, Deputy Chief Shawn Adams, and the EPD Internal Affairs Team significantly contribute to the smooth functioning of our office through collaborative engagement.

Finally, we wish to thank the Mayor and City Councilors for supporting our work and taking the time and energy to be effectively involved in the evolution of the community oversight process in Eugene.

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APPENDIX A

Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
An officer failed to respond appropriately to a call of a suicidal subject.	Allegation of Misconduct: Performance	418 Mental Health Crisis Response	S	S	S	3/14/24	6/6/24	6/20/24	2/20/25	
		103.4.1 Judgment	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
An officer did not demonstrate good judgment or sound and reasonable decision making with the manner of driving while pursuing a property theft suspect who was fleeing on foot.	Allegation of Misconduct: Performance	103.4.1 Judgment	WP	S	WP	3/20/24	6/7/24	7/1/24	7/17/24	

WP = Within Policy

S = Sustained

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal allegation that an officer used poor judgment when the officer used a loaded firearm to break through a window to a room where fellow officers were confronting a suspect.	Allegation of Misconduct: Performance	813.3.1(h) Department Firearms	Officer stipulated to facts.	N/A	S	3/10/24			5/20/24	
		103.4.1 Judgment	Officer stipulated to facts.	N/A	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an employee displayed inappropriate workplace conduct.	Allegation of Misconduct: Conduct	103.5.9 Conduct	S	S	S	4/4/2024	5/23/24	6/10/24	9/19/24	
		AMP 1.4 Respectful Work Environment	S	S	S					

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint regarding a foot pursuit with no cover officer through crowded park	Allegation of Misconduct: Use of Force	103.4.1 Judgement	WP	WP	WP	5/1/24	7/9/24	9/4/24	10/7/24	Oct- 24
		458 Foot Pursuits	S	S	S					
		809.2 Use of Taser	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an employee continued to drive a motorized vehicle with a suspended license.	Allegation of Misconduct: Conduct	103.5.4 Adherence to Laws and Department policy	S	S	S	5/7/24	8/23/24	9/4/24	9/16/24	
		103.5.4 Adherence to Laws and Department policy	S	S	S					

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		103.5.4 Adherence to Laws and Department policy	S	S	S					
		103.5.4 Adherence to Laws and Department policy	S	S	S					
		103.5.4 Adherence to Laws and Department policy	UF	UF	UF					
		103.5.4 Adherence to Laws and Department policy	S	S	S					
		103.5.4 Adherence to Laws and Department policy	S	S	S					
		103.5.2 Use of Position/Auth ority	S	S	S					
		103.5.9 Conduct	S	S	S					

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		103.5.17 Insubordination	S	S	S					
		103.5.1 Truthfulness	S	S	S					
		103.4.3 Integrity	S	S	S					
		103.4.3 Integrity	S	S	S					
		103.4.1 Judgement	S	S	S					
		103.5.1 Truthfulness	S	S	S					
		103.5.1 Truthfulness	S	S	S					
		103.5.4 Adherence to Laws and Department policy	S	S	S					
		103.4.3 Integrity	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an employee arrived to work intoxicated.	Allegation of Misconduct / Conduct	Conduct - 103.5.18 Intoxicants: Alcohol and Controlled Substances	IE	IE	IE	5/25/24	7/25/24	9/4/24	9/30/24	

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		Conduct - 103.5.18 Intoxicants: Alcohol and Controlled Substances	S	S	S					
		Conduct - 103.5.4 Adherence to Laws and Department Policy	IE	UF	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an employee was misrepresenting their time.	Allegation of Misconduct / Conduct	Conduct - 103.5.1 Truthfulness	Employee resigned before adjudication	N/A	N/A	3/16/24	8/16/24	NA	9/16/24	
		Performance - 103.5.7 Attendance	Employee resigned before adjudication	N/A	N/A					

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		Performance - 103.5.7 Attendance	Employee resigned before adjudication	N/A	N/A					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal Complaint that Officer used OC spray against a person engage in passive resistance.	Allegation of Misconduct / Use of Force	Use of Force - 803 Oleoresin Capsicum Aerosol	WP	S	WP	6/21/24	8/27/24	8/31/24	11/5/24	Mar-25
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that officer used force in excess of that which was reasonable under the circumstances when he deployed his taser.	Allegation of Misconduct / Use of Force	Use of Force - 800 Use of Force	WP	WP	WP	10/10/24	11/27/24	12/13/24	12/17/24	Apr-25
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Auditor complaint that officer used their position to obtain financial gain.	Allegation of Misconduct / Conduct	103.5.2 Use of Position / Authority	UF	UF	UF	10/31/20 24	11/14/202 4	2/6/2025	2/11/202 5	

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that non-sworn officer violated procedure by driving in emergency response mode in his EPD vehicle.	Allegation of Misconduct / Performance	Conduct - 103.4.1 Judgement	S	S	S	11/4/2024	12/11/2024	12/11/2024	1/7/2025	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an officer unintentionally discharged his firearm at the firing range.	Allegation of Misconduct / Performance	Performance - 103.5.14 Unsatisfactory Performance	S	S	S	10/10/2024	12/11/2024	12/11/2024	1/6/2025	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Anonymous complaint regarding an officer's treatment of citizens and the escalation of situations during multiple separate incidents.	Allegation of Misconduct / Performance	Performance - 416 Officer Response to Calls	S	S	S	11/17/2024	1/6/2025	1/29/2025	4/29/2025	May-25

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		Courtesy - 103.5.8 Courtesy	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an officer did not process property in accordance with policy when the property was distributed to co-workers.	Allegation of Misconduct / Performance	1104 Evidence and Property Handling	Officer stipulated to the facts.	N/A	S	11/19/2024	NA	12/11/2024	1/30/2025	

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
January-24	January-24	14	Inquiry	RP was concerned about an officer who continued to call when RP had notified the officer his lawyer would need to be present.	Sgt. reviewed the incident and found that the officer had actually called RP to provide information about retrieving RP's belongings from property control. Sgt. spoke with RP to explain the misunderstanding.
January-24	February-24	37	Performance	Auditor initiated review of supervisor actions concerning a search and seizure issue during an arrest.	Review found that a search warrant was obtained, but the supervisors did not provide clear guidance to the officers on the scene about what constituted a search.
January-24	March-24	74	Inquiry	RP reported being detained for an excessive amount of time during a stop and threatened with his vehicle being searched.	Sgt. found that the stop pertained to RP's passenger, RP was detained for about 20 minutes and then was released to leave the scene, which RP declined to do. Body cam showed no officer threatening to search the vehicle. RP did not return calls.
January-24	February-24	31	Service Level	RP was disappointed in EPD's response time when called about a squatting issue.	Sgt. reviewed call loads and records of calls for service and found no policy violations in how the calls were dispatched. Sgt. spoke with RP about the findings and that RP's situation fell into a civil issue.
January-24	January-24	9	Inquiry Dismissed: Other	RP filed a concern that officers made RP leave a restaurant.	Dismissed: Other Auditor review of complaint found no policy violations.
January-24	January-24	9	Inquiry Dismissed: Employee not identified	RP complained an officer accused RP of trespassing and smoking marijuana.	Dismissed: Employee not identified
January-24	April-24	76	Inquiry	RP felt an officer escalated a situation when investigating an animal control issue.	Lt. reviewed body cam and records of the incident and found no policy issues. Lt. spoke with RP to answer questions about the situation.

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January-24	February-24	19	Inquiry	RP inquired why a motorcycle officer would gesture at her while driving but not pull RP over.	Sgt. spoke with the officer who remembered gesturing to RP to slow her down, as a warning. RP did not return calls or emails left by the Sgt.
January-24	January-24	3	Inquiry	RP has been having trouble retrieving his belongings from evidence control.	Review of the complaint found that RP's evidence had not been released by the DA's office. A new request was generated and EPD is waiting on correspondence from the DA.
January-24	January-24	6	Inquiry	RP was upset at the long wait for police contact when he was assaulted.	Sgt. reviewed the incident and found that RP's call was triaged correctly due to call load. RP noted to the call taker there was no immediate threat to his safety and an officer was dispatched when one was available.
January-24	April-24	77	Inquiry	RP was concerned that motor vehicle property he thought was evidence was actually actioned off by a tow company.	Review found that no notification was made to the detective involved in the case that a safe keeping tow had been made. The issue was referred to the City's Risk Department.
January-24	January-24	4	Inquiry Dismissed: Other	RP expressed concerns that reclaiming his property from the city.	Dismissed: Other Auditor review of complaint found no policy violations.
January-24	February-24	3	Policy	RP was frustrated that the online report system would not allow for an unidentified suspect hit and run report.	Review of RP's concern found that the system could use a revision for the reporting on hit and runs. A request was submitted for revision. Sgt. spoke with RP about the findings.
January-24	March-24	36	Performance	RP felt officers disregarded his safety while responding to a restraining order.	Review by communications and patrol found RP's restraining order violation was investigated, probable cause found and suspect was arrested. No policy violations were noted.
January-24	February-24	21	Inquiry	RP was concerned that EPD would not re-dispatch an officer when it was believed drug use and possible manufacturing happened in RP's Airbnb.	Review of the calls made to EPD found that the call taker provided RP with the correct information as a previous officer had found no criminal activity at the home at the time of a welfare check. Supervisor contacted RP with the findings.

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January-24	January-24	2	Inquiry Dismissed: Other	RP felt officers were rude and bullying while responding to a dispute.	Dismissed: Other Auditor review of complaint found no policy violations.
January-24	February-24	21	Performance	RP reported an officer speeding and using lights to clear intersections when it didn't appear there was an emergency.	Review of the vehicle in question found that the officer was on a call that due to the circumstances allowed no lights and sirens except to clear intersections. No policy violation noted.
January-24	January-24	1	Inquiry Dismissed: Employee not identified	RP noted various harassments by EPD, but could not provide names, dates or incident details.	Dismissed: Employee not identified
January-24	April-24	70	Inquiry	RP reported a spouse who was racially profiled and detained during a burglary investigation.	Lt. reviewed body cams and records of the incident and found no policy issues. Officers detain RP's spouse due to clothing worn that matched the description of the burglary suspect.
February-24	February-24	6	Inquiry Dismissed: Alternate Remedy	RP expressed concern that an officer used inaccurate information when making an arrest about a dispute.	Dismissed: Alternate Remedy
February-24	February-24	24	Inquiry	RP was unhappy with the inadequate welfare check done by EPD officers.	Supervisor's review of body cam found that officers visually verified that the children were safe and were not in harms way. The supervisor noted some follow-up that should have happened and directed those details to be completed.
February-24	February-24	6	Inquiry Dismissed: Other	RP expressed concerned that someone was arrested for having memorabilia, but other crimes are ignored.	Dismissed: Other Auditor review of complaint found no policy violations.
February-24	February-24	1	Inquiry Dismissed: Other	RP reported an officer threatening to arrest RP, if RP didn't move from an alley.	Dismissed: Other Auditor review of complaint found no policy violations.

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February-24	February-24	2	Inquiry Dismissed: Alternate Remedy	RP felt a friend's arrest and case should be looked into	Dismissed: Alternate Remedy
February-24	February-24	6	Inquiry Dismissed: Outside Jurisdiction	RP inquired about where to get help on a civil issue.	Dismissed: Outside Jurisdiction Auditor Office provided information on the Oregon State Bar.
February-24	February-24	6	Disputed Facts	RP reported an officer who was harassing RP.	Review of the situation found that the officer had never had any enforcement contact with RP until the situation RP complained about. No basis for a harassment complaint was found.
February-24	February-24	5	Inquiry Dismissed: Outside Jurisdiction	RP reported a laser light had been pointed from a law enforcement vehicle toward his son's vehicle.	Dismissed: Outside Jurisdiction
February-24	March-24	36	Inquiry	RP reported issues with a sexual assault report that need to be looked into.	Sgt. reviewed report and spoke with RP to update and answer questions.
February-24	March-24	29	Inquiry	RP reported an issue with EPD's online reporting system.	Contacting RP found that a friend had been able to find the issue and RP had been able to file the report.
February-24	March-24	33	Inquiry	RP felt call takers were unhelpful and rude and possibly discriminated against RP.	Review of RP's calls found that each call taker handled the calls within policy and professionally. RP did not respond to Supervisor for findings.
February-24	March-24	32	Service Level	RP reported getting no response after leaving a voicemail and email for the traffic enforcement team.	Lt. spoke with RP about the issue of speeding in a school zone in RP's neighborhood and detailed what could and could not be done.
February-24	April-24	48	Policy	RP was concerned about the show of force displayed at an arrest her son witnessed.	Sgt. spoke with RP and answered concerns about police actions and procedures during the incident in question.

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February-24	March-24	28	Service Level	RP is frustrated with a continued prohibitive noise issue from a nearby sports bar.	Supervisor reviewed the calls for service and found that each was handled appropriately and devised a plan to have patrol periodically check the area for the issue. Sgt. spoke with RP about the issue.
February-24	February-24	2	Inquiry	RP was concerned the other party in a dispute was not arrested. RP felt it was due to RP being Hispanic.	Sgt. reviewed reports and body cam and found the officer did a thorough investigation and cited the suspect in lieu of arrest. No policy violations were noted. Sgt. spoke with RP about the investigation and the citation.
February-24	March-24	29	Inquiry	RP was concerned that RP's identity was revealed in an investigation into a welfare check RP initiated.	Sgt. reviewed the call for service and found the officers had a legitimate reason for discussing RP's name. No policy violations. Sgt. spoke with RP about the findings.
February-24	February-24	4	Inquiry Dismissed: Outside Jurisdiction	RP reported an issue about members of another agency.	Dismissed: Outside Jurisdiction
February-24	February-24	3	Inquiry Dismissed: Alternate Remedy	RP reported a civil issue that an officer refused to help with.	Dismissed: Alternate Remedy
February-24	February-24	2	Inquiry Dismissed: Outside Jurisdiction	RP reported an issue with members of another agency.	Dismissed: Outside Jurisdiction
February-24	March-24	8	Inquiry Dismissed: Timeliness	RP was concerned that call takers refused to take a report because RP was blind.	Dismissed: Timeliness
February-24	February-24	1	Inquiry Dismissed: Other	RP reported a rude call taker.	Dismissed: Other Auditor review of complaint found no policy violations.

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March-24	March-24	18	Inquiry	RP was concerned about a text message received from an officer threatening arrest about RP contacting another individual.	Review found that the officer was dispatched to a complaint by the other involved individual about harassment. After an investigation the officer did text RP, letting RP know what could happen if the harassment continued. No Policy violations. Sgt. spoke with RP about the concern.
March-24	March-24	6	Inquiry Dismissed: Other	RP reported a call for service seemed to have been dispatched incorrectly.	Dismissed: Other Auditor review of complaint found no policy violations.
March-24	March-24	19	Incident Review	RP has been unable to get belongings released from EPD that were lodged when an ex was arrested.	Review of the incident found that the officers only collected items that the arrested specified belonged to him. No policy violations were noted. Sgt. spoke with RP about filing a police report if the items had been stolen and provided the victim services number.
March-24	March-24	6	Inquiry Dismissed: Alternate Remedy	RP was unhappy with the response received over a civil issue regarding a pet.	Dismissed: Alternate Remedy
March-24	March-24	18	Inquiry	RP reported being thrown to the ground and handcuffed, causing bruising during a traffic stop.	Review of the incident found that RP had disregarded officer commands and had pushed the officer, leading the officer to perform a takedown. The officer acted within policy for the situation. Sgt. spoke with RP and explained the event.
March-24	March-24	2	Inquiry Dismissed: Timeliness	RP was concern about how an assault incident was investigated.	Dismissed: Timeliness
March-24	March-24	5	Inquiry Dismissed: Other	RP reported EPD officers were harassing a homeless woman, repeatedly making her move her camp.	Dismissed: Other Auditor review of complaint found no policy violations.
March-24	March-24	4	Inquiry Dismissed: Timeliness	RP reported an incident in which he was falsely arrested.	Dismissed: Timeliness

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March-24	June-24	80	Incident Review	Auditor reached out about an incident that was in the media.	Dismissed: Administratively Those involved declined to make a complaint.
March-24	March-24	6	Inquiry Dismissed: Other	RP complained an officer and detective entrapped him.	Dismissed: Other Auditor review of complaint found no policy violations.
March-24	March-24	5		RP reported being harassed by police officers in a different jurisdiction.	Dismissed: Outside Jurisdiction
March-24	March-24	8	Inquiry Dismissed: Other	RP reported call takers were rude and no one followed up with RP.	Dismissed: Other Auditor review of complaint found no policy violations.
March-24	March-24	6	Inquiry Dismissed: Other	RP reported being by an officer because of RP's race.	Dismissed: Other Auditor review of complaint found no policy violations.
March-24	April-24	28	Incident Review	RP reported an officer used excessive force against her son.	Review of the incident found that the suspect attempted to flee the scene of a domestic dispute even after the officer indicated he was not free to leave, then resisted arrest. No policy violations found.
March-24	March-24	3	Inquiry Dismissed: Other	RP reported a citizens whose civil rights may have been violated.	Dismissed: Other Auditor review of complaint found no policy violations.
March-24	May-24	61	Conduct	EPD was notified that an officer could be held in contempt of court for not showing up to a trial.	Sgt. found that a miscommunication had occurred, and the officer felt he had been excused. Once notified of the issue the officer arranged to appear when called.
March-24	May-24	39	Service Level	RP has been unable to get a return call from the officer handling her case.	Sgt. learned that in between receiving the complaint and contacting RP the officer had made contact and answered RP's questions.
March-24	April-24	2	Inquiry Dismissed: Other	RP was concerned about being awoken at 7:30 by police at her door.	Dismissed: Other Auditor review of complaint found no policy violations.
April-24	April-24	2	Inquiry Dismissed: Other	RP reported excessive use of force during RP's arrest.	Dismissed: Other Auditor review of complaint found no policy violations.

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April-24	April-24	17	Inquiry	RP was upset that an officer provided incorrect information about retrieving belongings from property control.	Sgt. learned that a new officer did in fact provide RP with inaccurate information about property pick up, Sgt. spoke with RP and provided complete instructions for property retrieval.
April-24	April-24	6	Inquiry Dismissed: Other	RP believes he was improperly stopped by officers during an investigation.	Dismissed: Other Auditor review of complaint found no policy violations.
April-24	May-24	38	Inquiry	RP inquired if motorcycle patrol officers are allowed to sit on the sidewalks.	Sgt. spoke with RP about law enforcement is exempt from some traffic laws while on duty.
April-24	April-24	13	Inquiry Dismiss: Other	RP reported illegal wiretapping, drove surveillance which EPD is overlooking.	Dismissed: Other Auditor review of complaint found no policy violations.
April-24	April-24	11	Inquiry	RP reported EPD evicting homeless from private property for criminal trespass.	Review of the issue found that the property owners gave the campers a week to find other accommodations and which time EPD officers continued citing for criminal trespass. No policy violations, Sgt. spoke with RP about the findings.
April-24	April-24	4	Inquiry Dismissed: Outside Jurisdiction	RP reported an excessive use of force by another agency.	Dismissed: Outside Jurisdiction
April-24	April-24	12	Inquiry Dismissed: Alternate Remedy	RP reported a citation for illegal camping in front of a education facility, RP does not believe the building is an education facility.	Dismissed: Alternate Remedy
April-24	May-24	21	Inquiry	RP alleged that an officer made contact with her under false pretenses and did not want contact with this officer again. RP was also unhappy her vehicle was not being released after a warrant impoundment.	Sgt. reviewed that contact and found that the officer was investigating a case involving RP's partner and was with policy when contacting RP. Sgt. spoke with RP about the issue and also explained what would happen with RP's vehicle.
May-24	May-24	14	Inquiry	RP was unhappy that EPD did not look into a reckless driving report.	Supervisor found that the call takers did enter the event into CAD, but did not inform RP how to make a report about the incident once he realized he had damage to his vehicle. Supervisor was able to get RP connected to filing his report.

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April-24	May-24	31	Inquiry	RP reported an excessive use of force and an officer telling bystanders not to record them on a phone.	Review of body cams found the suspect was taken to the ground after fleeing from officers. No excessive force. No officer was seen on body cam speaking with bystanders about phone cameras.
April-24	May-24	43	Conduct	RP inquired into whether or not an officer notifying a college of a student's citation was within policy.	Sgt. noted that it is common practice to forward a copy of citations to a student's college administrator.
April-24	May-24	17	Inquiry	RP was concerned an officer would not take a report about incident of a man waving a machete that happened a few months ago.	Sgt. reviewed the interaction and found that officer acted within policy, but with new information RP provided the Sgt. was able to have a report taken.
April-24	April-24	7	Performance Dismissed: Employee not identified	RP reported an EPD vehicle that stopped into the crosswalk while RP was crossing at the light.	Dismissed: Employee not identified
April-24	May-24	34	Service Level	RP felt call takers had no desire to help him when he tried to report a graffiti issue.	Supervisor found that the call takers who spoke with RP did enter a CAD incident but they did not ask RP if he wanted to file a police report. Supervisor spoke with RP and initiated a report.
April-24	April-24	11	Inquiry	RP reported being pushed by an officer.	Review of the incident found that RP had been trying to push past officers to reach a parking patrol employee who had cited RP. No policy violations noted.
April-24	June-24	53	Inquiry	RP reported an officer who refused to take a custodial interference report and became rude with RP.	Review of the situation found that the officer made the right determination on the custodial issue but was not cordial with RP. Sgt. discussed the issue with RP and with the officer.
April-24	May-24	14	Performance	RP reported an officer who failed to obey a traffic control device.	Sgt. reviewed the area of the traffic incident and found that the officer most likely did not obey the device, but was unable to identify the involved employee. RP did not return calls to discuss with the Sgt.

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April-24	April-24	0	Inquiry Dismissed: Outside Jurisdiction	RP reported getting threatening messages from a police officer.	Dismissed: Outside Jurisdiction
April-24	May-24	1	Inquiry Dismissed: Other	RP reported a motorcycle officer that rolled through a stop sign and then pulled over a motorist.	Dismissed: Other Auditor review of complaint found no policy violations.
April-24	July-24	73	Conduct	RP reported an ongoing sexual relationship between co-workers. On of whom was RP's spouse.	Review of the incident found texting between the co-workers and supervisors reported no issue with work performance.
April-24	May-24	8	Inquiry Dismissed: Outside Jurisdiction	RP reported issue with an outside jurisdiction.	Dismissed: Outside Jurisdiction
May-24	May-24	2	Inquiry Dismissed: Other	RP reported a delay in EPD taking a report of a broken window.	Dismissed: Other Auditor review of complaint found no policy violations.
May-24	June-24	35	Inquiry	RP reported officers blocking a parking lot and were rude when asked if they could move.	Review of body cam found that officers politely told RP they would move when they finished up the traffic stop. Sgt. spoke with RP about RP's perception of the situation vs. what was on the body cam.
May-24	June-24	52	Performance	RP reported a patrol vehicle squirreling in the travel lane on Beltline.	Sgt. was unable to determine if the officer involved was driving erratically but spoke with the officer about being aware of staying within the lane.
May-24	June-24	36	Inquiry	RP felt an officer should have cited the other motorist in a scooter vs vehicle accident.	Review of records and RP's own video cam footage found that the officer made the correct determination of the accident. Sgt. spoke with RP providing ORS that applied to the issue.
May-24	July-24	70	Service Level	RP was unhappy with an investigation and report about items stolen by an ex-roommate and a verbal altercation between the two.	Review of the incident frond that the officer correctly informed RP that much of the situation was a civil issue. A report was made of the missing items. No policy violations were noted.

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May-24	July-24	54	Courtesy	RP reported being harassed and ticketed by an officer while helping homeless people on Union Pacific property.	Review of the incident found that the officer was enforcing Criminal Trespass 1 along the rail tracks. Union Pacific enforces the trespass due to safety concerns. No Policy violation found.
May-24	June-24	45	Inquiry	RP reported an officer who created a hazard for a pedestrian walking in an alley.	Sgt. reviewed in-car video of the officer's response to a call and found that the vehicle did pass the pedestrian in an alley, but was not going an unappropriated speed and made a wide berth of the walker. No policy violations noted.
May-24	July-24	54	Service Level	RP has been unable to reach an officer for an update on a reported harassment and assault.	Sgt. learned that a newer officer did not have voicemail set up correctly and directed that be done. Sgt. spoke with RP and provided the update needed.
May-24	June-24	33	Inquiry	RP believes due process was not followed, when police did a civil standby at his home.	Review of the incident found that the other party involved was an ex of RP's and had established residency. The officers stood by while the party collected personal belongings. No Policy violations found.
May-24	May-24	7	Inquiry Dismissed: Timeliness	RP reported an incident from December of 2023.	Dismissed: Timeliness
May-24	June-24	21	Inquiry	RP reported an officer that did a poor job of investigating the assault of a friend.	Review of the incident found that the officer did a thorough job with the investigation but had been unable to get full cooperation from the victim to identify the assailants.
May-24	July-24	46	Inquiry	RP questioned how a death investigation was handled.	Review of the incident found that the officer provided a thorough and complete investigation. No policy violations were noted. Sgt. spoke with RP and answered questions and concerns.
May-24	May-24	5	Inquiry Dismissed: Other	RP reported an arrest incident he observed, different from the arrestee's charges.	Dismissed: Other Auditor review of complaint found no policy violations.

May-24	May-24	5	Inquiry Dismissed: Alternate Remedy	RP was concerned their case went to circuit court when it was a misdemeanor.	Dismissed: Alternate Remedy
May-24	June-24	6	Performance Dismissed: Employee not identified	RP reported on social media that an officer did not pull over a reckless driver.	Dismissed: Employee not identified
May-24	June-24	20	Service Level	RP was upset that when his daughter called about drug use outside of her apartment she was told it wasn't against the law.	Review of RP's daughter's calls found that the call takers correctly documented the calls as drug info and sent it to the officer on patrol.
May-24	May-24	2	Inquiry Dismissed: Other	RP was unhappy with EPD not taking a report of a break in.	Dismissed: Other Auditor review of complaint found no policy violations.
May-24	June-24	4	Inquiry	Review of an officer's reporting from an outside agency	Supervisor verified that the notification was given by the officer in a timely manner.
June-24	July-24	29	Performance	RP was unhappy with an officer not allowing RP's evidence while issuing a citation.	Review of the incident found no policy concerns. Sgt. spoke with RP about addressing the issue of evidence with the court.
June-24	July-24	28	Service Level	RP voiced concern that he cannot get an EPD officer to contact him about his concern about speeding and excessive parking on a short 2 block residential street.	Sgt. found that the area was on EPD's work plan for a problem area. Sgt. spoke with RP.
June-24	June-24	17	Performance	RP reported a EPD patrol vehicle that tail-gated her.	Sgt. was unable to determine if the officer involved was tailgating but spoke with the officer about being aware and spoke with RP and apologized for the incident.
June-24	July-24	26	Policy	RP expressed concern about EPD's involuntary mental health transports.	Sgt. provided RP with the ORS that EPD's policy is based on. Also links to state and county offices which deal with the concern.

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June-24	July-24	37	Service Level	RP reported a lack of response to calls about a trespasser at the Saturday Market.	Cpt. reached out to RP with information about EPD triage priorities and explained how RP's call was processed. They also discussed going forward how RP could word calls for the call takers to get the correct picture of an incident.
June-24	July-24	43	Inquiry	RP reported officers who showed up at his door demanding to speak with his daughter and felt they needed a warrant.	Review of the incident found that a report was made by an outside family member who had spoken to the daughter, felt she might be in danger. Community Care Taking Statutes require officers to ensure the safety of the individual with this type of call. No policy violations.
June-24	July-24	21	Inquiry	RP reported witnessing an officer use excessive force on a man who appeared to be just walking down the street.	Review of the incident found that the man was walking away from an officer who was placing him under arrest.
June-24	June-24	7	Inquiry	RP felt he was arrested for criminal trespass in error and his belongings were left behind.	Review of the incident found that RP was trespassing and refused to identify himself for a cite and release citation. RP also refused to identify if a backpack nearby belonged to RP. No Policy violations found.
June-24	July-24	24	Service Level	RP is frustrated with EPD's response to continuous illegal behavior and prohibitive camping in the commercial lot behind RP's home.	Sgt. found that right before RP had submitted a complaint EPD had began a target enforcement patrol in the area. RP expressed thanks for what had been done so far.
June-24	July-24	39	Inquiry	RP was unhappy with the investigation of a road rage incident.	Review of body cams and police reports found that the officer did a thorough investigation, speaking with participants and witnesses and took appropriate enforcement of the incident. Sgt. spoke with RP about the findings.
June-24	July-24	43	Inquiry	RP was concerned that a report of sexual assault was not going forward.	Review of officer interaction with RP found that RP did not mention an assault to the officer. Sgt. spoke with RP and took a report about the incident.

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June-24	June-24	5	Performance Dismissed: Outside Jurisdiction	RP reported officers who handled an mental health crisis inappropriately.	Dismissed: Outside Jurisdiction
June-24	July-24	26	Incident Review	RP alleged that an officer used excessive force when officers were taking RP's husband into custody.	Review of body cams found that RP was taken to the ground after, repeatedly being told to move back from the officer's enforcement action. No policy violations were observed.
June-24	June-24	3	Inquiry	RP reported being touched inappropriately by officers.	Review of RP's arrest, body cams and in-car-video showed no inappropriate actions by officers.
June-24	June-24	3	Inquiry Dismissed: Timeliness	RP inquired into what had been done to investigate a rape in 2006.	Dismissed: Timeliness
June-24	June-24	2	Inquiry Dismiss: Other	RP alleged that officers did not do anything when RP reported people verbally harassing her at stores in the area.	Dismissed: Other Auditor review of complaint found no policy violations.
June-24	July-24	28	Service Level	RP has been unable to get follow up from an officer.	Sgt. found that the officer was out on vacation. The officer returned the call when back on duty.
June-24	July-24	4	Inquiry Dismissed: Alternate Remedy	RP filed a concern about the validity of a citation.	Dismissed: Alternate Remedy
June-24	August-24	47	Service Level	RP reported an officer had been "harassing" teens in the park blocks.	Review of the incident found no policy or laws had been violated.
June-24	June-24	0	Performance Dismissed: Outside Jurisdiction	RP filed a concern about street repair work being done.	Dismissed: Outside Jurisdiction
June-24	July-24	30	Policy	RP reported that no one was dispatched to an accident in which his daughter hit a city light pole.	Review of the incident found that due to EPD policy a dispatch is not required in a non-injury accident.

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June-24	September-24	65	Inquiry	RP felt EPD had not done enough to investigate RP's reports and concerns about harassment, kidnapping and rape.	Lt. reviewed each report that RP's ex had reported and found no policy violations. Lt. spoke with RP and went through each case and explained the steps taken by EPD.
June-24	July-24	3	Performance Dismissed: Outside Jurisdiction	RP filed a concern about the Chief of Police.	Dismissed: Outside Jurisdiction
July-24	July-24	29	Service Level	RP was concerned that EPD did not follow up on a hit and run accident that happened to buses RP manages.	Review of the incident found that call takers took all information from RP and entered a incident report. Not enough information about the other vehicle was available to go forward with a police report. Sgt. spoke with RP about the findings.
July-24	August-24	50	Inquiry	RP felt his report of an assault was handled improperly by an officer.	Review of this incident found that the incident was a he said/he said with both parties claiming the other was the primary aggressor. The officer documented the incident correctly and closed the file. No policy violations found.
July-24	August-24	48	Inquiry	RP was concerned officers did not make an immediate arrest during a trespass issue at the 5th Street Market.	Review of the incident found that officers worked with the trespasser who was in a mental health crisis, allowing the person to leave the area, while working to get Cahoots. When the trespasser returned and Cahoots still was not available, officers did take the person into custody. No policy violations found.
July-24	July-24	7	Inquiry Dismiss: Other	RP was upset that an officer suggested he would have to leave Eugene since the shelters had banned RP.	Dismissed: Other Auditor review of complaint found no policy violations.
July-24	August-24	40	Inquiry	RP reported a person smoking drugs on the street, a nearby officer said I don't do that type of work. 911 directed RP to the non-emergency line, and did not dispatch.	Review found that the officer described was a CSO and does not have ticketing or arrest authority. The call centered answered appropriately and entered a call for service for response when available.

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July-24	July-24	27	Service Level	RP reported that when he and neighbors reported transients lighting a fire in a field, no one was dispatched.	Review of the incident found that RP's call was entered for police response, but the fire dispatch portion was not forwarded to fire. Supervisor spoke with RP and thanked him for contacting them so the issue could be corrected at the call center.
July-24	July-24	16	Inquiry	RP reported continued speeding on a street where a serious accident had taken place previously.	Sgt. reached out to RP confirmed times the issue was occurring and notified traffic control that more patrols were needed in the area.
July-24	August-24	42	Performance	Internal concern that a supervisor chastised an employee without going through the employee's supervisor.	Employee involved was satisfied how the complaint was handled internally.
July-24	July-24	23	Inquiry	RP is dissatisfied with response by EPD when RP calls about transients in the parking lot of his apartment complex.	Sgt. attempt to contact RP about RP's concern. RP did not reply.
July-24	July-24	6	Inquiry Dismiss: Other	RP reported that after trying to report a theft and his vehicle being impounded EPD officers cited him and had Child Services take his children.	Dismissed: Other Auditor review of complaint found no policy violations.
July-24	July-24	12	Inquiry Dismiss: Employee not identifiable	RP reported an officer that sits in the parking lot of an apartment complex for long periods of time.	Dismiss: Employee not identifiable
July-24	August-24	41	Inquiry	RP was upset that officers did not allow RP to urinate under a tree before being detained.	Sgt. spoke with RP explaining no policy violations occurred.
July-24	July-24	5	Inquiry Dismiss: Previously Reviewed	RP alleged excessive force during an arrest.	Dismissed: Previously Reviewed

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July-24	October-24	78	Inquiry	RP was concerned about how an officer handled a restraining order call.	Review of the incident found that officers were professional and worked swiftly through the investigation of the issue. Sgt. spoke with RP about the findings and was able to further assist with information RP needed about restraining orders.
July-24	August-24	36	Policy	RP was concerned that the call center would not send officers to a business alarm unless someone could verify it was not a false alarm.	Sgt. contacted RP to explain EPD's policy, and the reason for the needed verification.
July-24	August-24	36	Inquiry	RP felt officers were wrong hand cuffing RP for refusing to get a name.	Review of the incident found that officers had a lawful reason for contacting RP. No policy violations were noted.
July-24	July-24	7	Inquiry	RP complained he was pulled over for no apparent reason.	Review of the incident found no policy violation or wrongdoing.
July-24	July-24	11	Inquiry	RP was concerned an officer's investigation into a traffic accident was inadequate.	Sgt. found that the officer did a thorough investigation and cited the driver for Failure to yield and was given a warning for other infractions. The officer did forget to advise RP to notify the DMV about the accident.
July-24	September-24	58	Inquiry	RP reported a posted video that showed officers harassing a man who was filming the sweep of a homeless camp.	Sgt. reviewed body cams on the incident and found no policy violations.
September-24	September-24	0	Incident Review	RP first alleged that an officer sexually assaulted her, then that it wasn't an officer.	Sgt. found that no actionable information could be obtained to ascertain the allegation. Administratively Closed unless further information can be obtained.
July-24	August-24	34	Courtesy	RP felt an officer was beyond rude for not answering questions and driving off after a traffic stop.	Sgt. found that RP was not the person involved in the stop, appeared agitated and was asked by the officer to back up from the stop, for officer safety reasons. No policy violation occurred.
July-24	September-24	41	Service Level	RP reported being unable to get a call back from an officer about a case.	Sgt. spoke with RP and directed the officer to contact RP about an update on RP's case.

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July-24	July-24	1	Service Level Dismiss: Previously Reviewed	Previously reported concern about an officer's investigation into a roommate dispute	Dismissed: Previously Reviewed
July-24	July-24	3	Courtesy Dismissed: Other	RP reported an officer that pulled a friend over was a rude jerk.	Dismissed: Other Auditor review of complaint found no policy violations.
July-24	November-24	95	Service Complaint	RP feels that EPD's lack of response to their 911 call was unacceptable	Sgt spoke with RP on policy regarding call prioritization.
July-24	September-24	50	Courtesy	RP was upset with an officer's demeanor during an interaction at the airport.	Review of body cam found that RP disregarded TSA and officer instructions repeatedly and was trespassed from the airport property. No police violations were noted.
August-24	September-24	48	Inquiry	RP feels that EPD has given substandard service to calls about security in RP's home.	Review of the latest calls for service found that officers help RP with a poor connection on an alarm system, and officers were dispatched to an alarm sounding. Cahoots have also been notified to help with RP's concerns.
July-24	August-24	32	Inquiry	RP alleged an officer fabricated information on an arrest warrant.	Review found that the officer did a thorough investigation, speaking with witnesses and RP. The DA decided not to prosecute. No Policy violations found.
August-24	September-24	32	Service Level	RP felt an officer was discourteous when RP called about a previous call to EPD.	Review of the call found that the call taker was respectful when trying to explain to RP what had occurred with RP's previous call. No policy violations were noted.
August-24	August-24	4	Incident Review Dismissed: Outside Jurisdiction	RP complained of excessive use of force by officers and being denied medical treatment.	Dismissed: Outside Jurisdiction
August-24	September-24	47	Inquiry	RP felt officers were discourteous with her and did not follow protocol when removing campers from a homeless encampment.	Sgt. learned that the incident involved a city's park and the protocols for that site were followed by the City's Park and Rec department. No policy violations were found.

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August-24	September-24	47	Inquiry	RP reported an officer was using Facebook to harass and damage the livelihoods of people.	Lt. found that the officer named is no longer an employee of EPD.
August-24	August-24	3	Inquiry Dismissed: Timeliness	RP reported generalized attacks and an interrogation by police about 10 years ago.	Dismissed: Timeliness
August-24	August-24	1	Performance Dismissed: Previously Reviewed	RP reported that EPD did a substandard investigation into the death of a family member.	Dismissed: Previously Reviewed
August-24	September-24	47	Service Level	RP reported no response for assistance with a trespasser in RP yard.	Lt. reviewed the incident and found that RP viewed the trespasser via a camera and was not at the residence at the time. No life safety issue was present, which triaged the call to a lower priority, with at least 20 calls holding.
August-24	September-24	32	Service Level	RP felt call takers dismissed his complaint about drug activity in his area.	Review of the calls found no policy violations. Call takers correctly documented the call to the call log. Supervisor spoke with RP about how calls are triaged and noted to RP the concern has also been forwarded to the Street Crimes Unit.
August-24	August-24	0	Performance Dismissed: Outside Jurisdiction	RP reported an officer in a tan uniform speeding on Beltline.	Dismissed: Outside Jurisdiction
August-24	October-24	82	Inquiry	RP was upset regarding EPD's response time to a victim of a robbery.	Supervisor spoke with RP, where RP stated he was not attempting to complain about EPD, but had contacted the auditor's office because someone had recommended he do so.
August-24	December-24	134	Inquiry	Anonymous complaint of insufficient police response at the Pride event in Alton Baker Park.	Investigation found members of the department conducted themselves professionally and at no point were officers seen ignoring or disregarding criminal behavior.

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August-24	August-24	17	Inquiry	RP felt call takers did not take a call about a man exposing his stomach to children appropriately.	Review of RP's call to the non-emergency number found that the call takers asked the appropriate questions, found no articulated crime, and added the call to officer's call log to respond when time allowed. No policy violations were noted. Supervisor spoke with RP.
August-24	August-24	10	Performance Dismissed: Outside Jurisdiction	RP reported a wrongful arrest.	Dismissed: Outside Jurisdiction
August-24	October-24	52	Inquiry	RP expressed dissatisfaction with the service received from EPD between August 17 - August 19, 2024.	Sgt. found no policy violations. RP was not contacted due to her unknown whereabouts.
August-24	September-24	19	Performance	RP felt officers may not have taken appropriate investigative steps in a domestic dispute call.	Review of the investigation found that further steps could have been taken by talking to both suspected parties in the incident. Sgt. spoke with the third-party complainant about the findings.
August-24	October-24	45	Inquiry	RP alleged an officer conducted an incomplete investigation, failed to provide proper guidance, and did not provide sufficient/timely follow-up.	In review of the incident, Sgt. found no policy violations. Sgt. attempted to contact RP on three separate occasions with no success.
August-24	August-24	0	Inquiry Dismissed: Other	RP was concerned about how their arrest was handled.	Dismissed: Other Auditor review of complaint found no policy violations.
August-24	August-24	0	Inquiry Dismissed: Employee not Identified.	RP was concerned no officer was dispatched to a man with a machete.	Dismissed: Employee not Identified.
August-24	September-24	28	Inquiry	RP felt officers were disrespectful, disclosed private info to an employer and did not do a sufficient investigation before placing a mental hold of RP.	Sgt. reviewed body cams of the incident and found officers established probable cause for the hold, no outside parties were notified.

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August-24	September-24	19	Inquiry	RP felt EPD volunteers were discourteous to citizens in RP's neighborhood.	Supervisor reviewed the situation and spoke with RP about the concerns.
August-24	October-24	37	Performance	RP complained that during her arrest, handcuffs were applied too tight, and that a male officer patted her down.	Review of body cam found that RP was arrested for interfering in the arrest of another person, handcuffs were applied according to policy. EPD also allows officers of either sex to pat down suspects. No policy violations found.
August-24	September-24	22	Inquiry	RP was dissatisfied with lack of response time and unwillingness of officers to come take a report when threatened by unattended children wielding steak knives.	Sgt spoke with RP regarding the manner in which calls are prioritized and dispatched. RP was dissatisfied with the response and became irate.
August-24	September-24	21	Inquiry	RP reported a CEO made an illegal turn and followed RP for a few blocks.	The supervisor reviewed the concern and attempted to reach out to RP.
August-24	October-24	52	Service Complaint	RP expressed his inability to get into contact with the officer who took his statement regarding his attack.	Sgt. advised the officer to reach out to RP regarding his request and notified RP.
August-24	September-24	7	Incident Review Dismissed: Other	RP reported being sexually assaulted by an officer during an arrest.	Dismissed: Other Auditor review of complaint found no policy violations.
September-24	September-24	1	Inquiry Dismissed: Other	RP reported an officer did not conduct a thorough investigation and was unprofessional.	Dismissed: Other Auditor review of complaint found no policy violations.
September-24	September-24	22	Service Complaint	RP reported insufficient response time of her reports to an assault on her.	Sgt. emailed RP regarding the response time and the number of high priority calls taken at the same time. RP was dissatisfied by the response.
September-24	October-24	55	Inquiry	RP complained that an officer was resistant to help her, alleged the officer did not write a report, and failed to provide aid.	Lt. review of the incident found that the officer did not resist help, offered RP aide, and did not write a complete a report since the incident did not require one. Lt. explained the findings to RP and advised the officer to complete a report.
September-24	October-24	30	Inquiry	RP felt an officer purposely left a voice message with an incorrect phone number.	Supervisor spoke with RP, detailing the steps EPD had taken with RP's concern. RP was happy to learn that his concern had been addressed.

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September-24	September-24	7	Inquiry Dismissed: alt remedy	RP stated he was improperly arrested, subjected to unnecessary force, and kidnapped.	Dismissed: alt remedy
September-24	September-24	14	Inquiry	RP felt an officer's response to an assault was inadequate, causing the perpetrator not to be apprehended.	Review of the incident found that initially, RP did not want police help with the incident. Once RP asked for enforcement action, the officer provided a thorough and complete investigation. No policy violations found.
September-24	October-24	57	Inquiry	RP stated while being arrested, the handcuffs were applied too tightly which left bruises, complained a male officer searched her, and that an officer stole her necklace.	Sgt. found no policy violations and spoke with RP regarding findings.
September-24	September-24	4	Inquiry Dismissed: Timeliness	RP reported that an officer's report taken over a year ago contained inaccuracies.	Dismissed: Timeliness
September-24	October-24	22	Incident Review	RP complained of the demeanor of an officer during a custody issue.	Sgt. found that the officer was calm and helpful, but some of the information given to RP was incorrect. Training was provided at a briefing for all officers.
September-24	October-24	23	Service Level	RP was unhappy with the service he received over noise complaints.	Review of the incident found that call levels prevented officer response in a timely manner. Sgt. spoke with RP and encouraged him to continue to call the non-emergency with issues and provided RP with his cell.
September-24	October-24	20	Service Level	RP was unhappy with the service level he received from EPD about a neighbor harassment complaint.	Review found that RP's concern was delayed due to higher priority calls. RP noted to the Sgt. that he was happy with the help from the Community Resource Officers.
September-24	October-24	20	Inquiry	RP was upset that an officer questioned him on arrival about having a gun when he had called for assistance.	Review of RP's call for service found that RP had stated to the call taker he was getting his gun, and it was documented in the dispatch order. For officer safety, officers try to identify if any party in a situation has a weapon. No policy violation, Sgt. spoke with RP about the incident.

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September-24	September-24	1	Inquiry Dismissed: Other	RP reported people recording and threatening him and his family.	Dismissed: Other Auditor advised RP to report the incident to the non-emergency number.
September-24	September-24	4	Inquiry Dismissed: Other	RP reported inadequate service when reporting attempted break-ins, RP felt it may be due to a previous homeless status.	Dismissed: Other Auditor review of complaint found no policy violations.
September-24	November-24	59	Service Complaint	RP reported slow response time when requesting police assistance after being terrorized by an unidentified adult male.	Sgt. spoke with RP to discuss policy regarding call prioritization.
September-24	September-24	0	Inquiry Dismissed: Outside Jurisdiction	RP complained about City road construction damaging RP's property.	Dismissed: Outside Jurisdiction
September-24	September-24	9	Inquiry	RP contacted EPD regarding an improper street closure. RP stated that after the officers completed a field investigation, he was cited with menacing and complained the officers mishandled the investigation, complained the vehicle he was placed in was excessively hot, complained about the lack of care, and that officers coerced him into agreeing to a search of his vehicle.	Sgt. spoke with RP about his review and found that officers' actions were within department policy and made considerable effort to accommodate RP under difficult weather conditions.
September-24	September-24	1	Inquiry Dismissed: Previously Reviewed	RP complained about police response to a death investigation.	Dismissed: Previously Reviewed
September-24	October-24	23	Service Level	RP complained about the "flippant" response to her request that extra patrols be assigned to the area of her daughter's apartment	EPD command staff spoke with RP about the lack of resources to post extra patrols at request.
September-24	October-24	15	Service Level	RP is concerned with the lack of response from EPD when he called about trespassing issues at his place of business.	Sgt. spoke with RP about call volume issues and gave RP advice on being sure that the call taker is aware RP is wanting to press charges.

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September-24	October-24	15	Inquiry	RP felt EPD's destroying of evidence was improper and illegal.	Review of the records show all evidence was destroyed per policy and ORS statutes. Supervisor followed up with RP about the findings.
September-24	September-24	1	Inquiry Dismissed: Outside Jurisdiction	RP alleged officers handled a dispute unethically.	Dismissed: Outside Jurisdiction
September-24	October-24	16	Performance	RP observed a Eugene PD employee make an improper turn and cut off three motorists.	Supervisor spoke with the employee about safe driving and being aware of the traffic situation. Supervisor followed up with RP.
September-24	October-24	41	Inquiry	Internal concern regarding fostering a safe and respectful work environment in regards to cursing in front of employees and inappropriate email etiquette	Sgt. spoke with the officer regarding the content of his phone call, the email sent, and the need to maintain professionalism while working with other employees withing EPD and the city.
September-24	October-24	25	Incident Review	RP submitted a complaint that an officer demonstrated racial bias during a traffic stop and in court proceedings.	Review of BWV showed no indication of biased-based policing. Supervisor emailed RP his findings.
September-24	September-24	5	Inquiry Dismissed: Outside Jurisdiction	RP stated she was disappointed in the responsiveness of LCSO.	Dismissed: Outside Jurisdiction
September-24	November-24	53	Inquiry	RP alleged three personal keys were seized from him when he was arrested.	After review of BWV, the Sgt. did not observe any keys during the arrest. Sgt. attempted contact with RP without success.
September-24	September-24	2	Inquiry Dismissed: Other	RP complained an officer told his neighbors he was a rapist which has led to harassment.	Dismissed: Other Auditor review of complaint found no policy violations.
September-24	October-24	7	Inquiry Dismissed: Previously Reviewed	RP reported criminal activity at the Essig Field tailgate from November 2023.	Dismissed: Previously Reviewed
September-24	October-24	34	Inquiry	RP complained there was no EPD response when she was attacked and robbed.	Sgt. spoke with RP regarding the video surveillance of her at Winco making the withdrawal herself.

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September-24	November-24	41	Inquiry	RP complained that the communications supervisor was unhelpful, discourteous, and unprofessional when attempting to report suspicious activity.	Manager explained to RP that the communications supervisor's tone during the call was professional and courteous and while the length of the call was unnecessarily long, it was due to responding to her continued demands for response and hypothetical questions.
September-24	January-25	98	Service Complaint	RP complained that an officer was rude.	Lt. spoke with RP and the officer and determined it was a miscommunication.
September-24	September-24	4	Inquiry Dismissed: Other	RP emailed the Police Commission Chair his frustration with EPD's non-response to unknown people breaking into his car.	Dismissed: Other
September-24	October-24	12	Service Complaint	RP complained about the lack of and slow response of EPD to a crime in the area of his business.	Sgt. spoke with RP and informed him of the minimum staffing levels along with the urgency of the other service calls on that day and time. Sgt. also agreed that the response time to the school could have been performed better.
September-24	October-24	9	Inquiry Dismissed: Outside Jurisdiction	RP reported an incident with a person who is not an EPD employee.	Dismissed: Outside Jurisdiction
September-24	November-24	46	Service Complaint	RP complained EPD failed to answer his repeated requests for assistance with his neighbors.	Sgt. attempted to contact RP without success. Upon review, Sgt. found that the RP's request for assistance did not go ignored.
September-24	October-24	21	Service Complaint	RP complained about EPD's lack of prompt response to juveniles waving a steak knife at her stepchild.	Sgt. attempted to speak with RP about the high call volume and lack of resources
September-24	December-24	90	Inquiry	RP complained that the officers conducted an inadequate investigation after reporting his neighbor attacked him.	Lt. found during investigation that officers did not have probable cause to make an arrest.
September-24	October-24	20	Inquiry	RP complained that officers stole his wallet while transporting him voluntarily to Buckley for detox.	RP "found his wallet" and apologized for the "accusation made against EPD which has always treated (him) fairly".

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September-24	October-24	1	Inquiry Dismissed: Other	RP complained that EPD officers lack courtesy and professionalism.	Dismissed: Other Auditor review of complaint found no policy violations.
September-24	October-24	14	Service Complaint Dismissed: Other	RP complained about an integration with an unnamed communication specialist and an unnamed female communication specialist supervisor regarding an automotive vandalism.	Dismissed: Other
October-24	October-24	7	Inquiry Dismissed: Other	RP complained that she was unjustly arrested.	Dismissed: Other
October-24	October-24	14	Service Complaint	RP complained about the lack of EPD response after requesting police assistance.	Sgt apologized to RP for the lack of timely response and informed him of the desk officer process with incoming reports.
October-24	December-24	60	Service Complaint	RP complained that an officer was discourteous and rude and failed to conduct an adequate investigation regarding a cellular phone theft. Second complaint that RP's arrest for trespassing at the Buckley house was improper and that the officer was discourteous.	Sgt. found the officer was not discourteous or rude during his contact and did take a report for the stolen cellphone. Also found that the officer of the second complaint was not discourteous during his contact and did not arrest RP as was stated.
October-24	October-24	19	Inquiry	RP complained that an officer did not forward the report to the DA's office after being told he did.	Sgt found no policy violations and was unable to get into contact with RP.
October-24	October-24	20	Inquiry	RP complained EPD will not return his property after his arrest.	Supervisor gave RP's attorney directions on retrieving the belongings.
October-24	October-24	24	Policy Complaint	RP complained there was not sufficient notice to move her belongings which were thrown away.	Sgt. explained to RP the city's process for handling illegal camping and what property is thrown away, stored, and the length of time items were kept. RP was unaware items were stored and the rules regarding camping.
October-24	December-24	73	Inquiry Dismissed: Other	RP complained generally about "conspiracies" and knowing the law better than EPD officers.	Dismissed: Other Auditor review of complaint found no policy violations.

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October-24	October-24	22	Policy Complaint	RP expressed a concern about crime in the downtown area and would like additional patrols in the area.	Sgt. spoke with RP regarding her concerns and the outcome of the incident. The Sgt. also provided RP with additional information, including online reporting of any future incident.
October-24	October-24	7	Inquiry Dismissed: Other	RP complained that dispatch did not record her concern that she was being stalked and harassed.	Dismissed: Other Auditor review of complaint found no policy violations.
October-24	November-24	34	Inquiry	Anonymous complaint that officers were unprofessional.	After review, Sgt. found no policy violation or unprofessional comments were made during the incident.
October-24	November-24	47	Inquiry	RP complained that an officer was dismissive, that RP's girlfriend needed immediate medical attention and that RP was stabilizing her from falling.	Sgt. found that RP was impaired and interfering with the officer's attempts to manage the scene. The officer acted within policy and procedures during the incident.
October-24	November-24	44	Inquiry	RP complained that every time she contacts EPD's non-emergency services, the phone tree does not work and is inconsistent.	Mgr. found that the issue is an external technical issue specific to AT&T and cannot be remedied internally. The current plan is to complete the phone upgrade scheduled for Quarter 1 of 2025 to see if this resolves the issue.
October-24	December-24	57	Policy Complaint	RP complained that she was being discriminated against based on income and age due to a postcard she received in the mail from Animal Services requiring her to pay a licensing fee for her pet.	Supervisor attempted contact with RP on 4 separate occasions to discuss the licensing fee with no success.
October-24	November-24	42	Service Complaint	RP complained that an officer forcefully grabbed him by the wrist and removed car keys from his hands.	Sgt. found during investigation that RP had not been attempting to find the owner, just the vehicle. The officer used good judgement to take custody of the keys which were later returned to the owner.
October-24	November-24	41	Service Complaint	RP complained that no officers responded to a violent crime against her daughter and that the report was taken by phone.	Sgt. spoke with the RP who was thankful he took the time to explain the process of dispatching and prioritizing calls and how it affected this incident. Sgt. found both officers acted within policy of EPD.

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October-24	October-24	12	Inquiry	RP felt ridiculed by an officer and not taken seriously. RP also had a difficult time getting in contact with the officer.	Sgt. found no policy violations, however, spoke with the officer about completing the necessary follow-up.
October-24	December-24	68	Service Complaint	RP complained about the slow and/or non-existent response time of EPD officers when contacting both 911 and non-emergency numbers to report trespassing.	Lieutenant explained to RP how calls are triaged and referenced the other calls being serviced at the time his calls had come through. RP expressed that he was unaware of the process and appreciated EPD's response and understands the restrictions.
October-24	December-24	47	Inquiry	RP complained he was told that EPD does not investigate perjury and claims he was given legal advice.	Sgt. found that EPD could take a perjury report, but it is not required. Dispatch did not provide legal advice. Sgt. attempted contact to facilitate his report but was unsuccessful.
October-24	November-24	21	Service Complaint	RP complained EPD's callback response time was slow and that the officer he spoke with was rude, discourteous, and unprofessional.	Supervisor spoke with RP about the incident and assured RP that they would speak with the CSOs about contacting complaints in a timely manner.
October-24	October-24	3	Service Complaint Dismissed: Other	RP stated that officers were mocking him and that his complaint is not an animal problem.	Dismissed: Other Auditor review of complaint found no policy violations.
October-24	October-24	7	Inquiry	RP complained to supervising officer that her arresting officers were doing an illegal search of the vehicle.	Sgt. explained to RP the officer's legal authority to search the vehicle and stated to RP that he would be speaking with the officers and reviewing their body worn video.
October-24	December-24	42	Inquiry	RP complained that EPD had discriminated against him as a felon and refused to help him	Sgt. and officer attempted to contact RP to discuss findings and make a report, but RP refused to be contacted.
October-24	December-24	58	Inquiry	RP complained about an EPD guardian trailer parked outside his residence and stated the trailer is loud, the lights flash directly into his living room and feels oppressive as he believed the camera can see into his home.	Supervisor ensured RP that the camera could not see into his home and the placement was for the additional election security. The trailer was removed on 11/6/24 and RP was appreciative of the follow up.
October-24	November-24	22	Service Complaint	RP complained about the response time of EPD after calling to report a man who appeared to be dead or unconscious.	Supervisor found that the call was not correctly routed by either the call taker or the dispatchers.

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October-24	October-24	4	Service Complaint Dismissed: Outside Jurisdiction	RP complained he received an email from Planning and Development Dept regarding the reports he has submitted against his neighbors.	Dismissed: Outside Jurisdiction
October-24	October-24	7	Inquiry Dismissed: Improbable	RP complained she was wrongfully arrested in her home after attempting to report a rape and murder.	Dismissed: Improbable
October-24	November-24	33	Service Complaint	RP complained that an officer was rude harassing him, stating, "enjoy living in your car."	After investigation, the Sergeant found the officer had followed policy in regard to camping, however, he finished the contact in an unprofessional manner.
October-24	October-24	6	Inquiry Dismissed: Other	RP complained two EPD vehicles were blocking the handicap parking spots at Alton Baker Park and that one of the officers grabbed him and pushed him away from the vehicle.	Dismissed: Other Auditor review of complaint found no policy violations.
October-24	November-24	25	Policy Complaint	RP complained that dispatch would not send out officers for trespassing because she was not the person responsible for the property even though she believed the property had registered no trespassing signs.	Sgt. informed RP that at the time of the call, the property did not have registered no trespassing signs, but that has since been remedied. Sgt. found no violation of policy from the call taker.
October-24	November-24	29	Service Complaint	RP complained that Eugene Police Public Records Office was ignoring his request of access to the body cam footage from his contact with Animal Control on October 21, 2024.	After investigation, Supervisor found that the requests were submitted to an unmonitored inbox that was never posted or disseminated. Supervisor replied to the request in an email and attempted to contact RP several times by phone.
October-24	October-24	6	Service Complaint Dismissed: Timeliness	RP complained that even though someone else had initiated the 911 call and gave a statement, EPD did not include him as a witness in the report.	Dismissed: Timeliness
October-24	December-24	59	Inquiry	RP complained that on multiple occasions, he was not provided a 72-hour clean up notice for his tent.	Lt. found that for each situation, the officers were polite, professional, and acted within policy.

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October-24	October-24	2	Inquiry Dismissed: Other	RP stated he was being illegally surveilled by drones day and night.	Dismissed: Other Auditor review of complaint found no policy violations. Evidence submitted by RP revealed commercial airlines overhead.
October-24	November-24	14	Inquiry	RP complained she was refused a police escort to her ex-husband's house to retrieve her son.	Upon investigation, the Supervisor found that the call was handled within policy. The ex-husband, at the time of the call, was not present at the location and there was no immediate danger.
October-24	November-24	17	Service Complaint	RP complained that the call taker talked over him and yelled at him.	Upon investigation, Supervisor found that the call taker did not yell or raise his voice at any point. The call taker was professional, appropriate, and was not rude.
October-24	December-24	44	Inquiry	RP complained that the officer treated her like a criminal when inquiring to the well-being of her son and refused to answer her questions.	Sgt. reviewed the incident and found that RP did not have the right to the information from the investigation or the hospital. Sgt. spoke to the officer regarding softening his words as people are responsive to the words people use.
October-24	October-24	8	Inquiry Dismissed: Prev. Reviewed	RP complained that EPD failed her when the officer responded to a service call.	Dismissed: Previously Reviewed
October-24	December-24	41	Service Complaint	Internal complaint that an officer was making snide comments during a CIT training.	Sgt. investigated the incident where he found the witness did not want to pursue the complaint process.
October-24	November-24	4	Inquiry Dismissed: Other	RP complained that she waited at the police station for eight hours but received no help.	Dismissed: Other Auditor review of complaint found no policy violations.
October-24	November-24	4	Inquiry Dismissed: Outside Jurisdiction	RP complained that an officer was rude and aggressive during a traffic stop.	Dismissed: Outside Jurisdiction
November-24	December-24	28	Inquiry	RP stated an officer stole his belongings during an arrest.	Item was found in the VI room and Sgt. directed the officer to return it to RP. No policy violations were found.

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November-24	December-24	46	Service Complaint	RP complained she received a 72-hour camp cleanup work order when she was only in the area to help another person clean up and the officer was sexually harassing her.	Sgt. found that the officers' actions were within policy and the officer had requested that RP cover up as she was almost exposed.
October-24	November-24	14	Service Complaint: Dismissed: EE Not Identified	RP complained about a police officer driving erratically and failing to use a turn signal.	Dismissed: EE Not Identified
November-24	November-24	10	Inquiry Dismissed: Timeliness	RP complained about his arrest from 2022, stating officers ignored him when attempting to report meth dealers.	Dismissed: Timeliness
November-24	November-24	6	Inquiry Dismissed: Timeliness	RP complained that EPD did not uphold his civil rights four years ago when he called and complained about Eugene Mission blocking the roadway and again when an officer slammed a car trunk on him approximately 11 years ago.	Dismissed: Timeliness
November-24	November-24	13	Incident Review	RP complained that his traffic stop was unlawful and due to racial profiling.	After review of the incident, the Sgt. found no indication that racial bias played a part in his enforcement decision.
October-24	November-24	12	Inquiry Dismissed: Outside Jurisdiction	RP complained that the citation he received is illegible.	Dismissed: Outside Jurisdiction
November-24	January-25	61	Inquiry	RP reporting on behalf of witness: Witness was disappointed in the poor communication of the officers when searching the patient's body for ID.	Sgt. explained to RP and witness that he could hear on the BWV that the officer indicated their intentions. No indications of wrongdoing were found.
November-24	December-24	50	Inquiry	RP stated the EPD are not doing anything about her getting robbed multiple times and receiving threats.	Sgt. found the officers handled the investigations appropriately and took the appropriate investigative steps with the information they were provided.

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November-24	November-24	6	Inquiry Dismissed: Other	RP complained EPD will not investigate his assault.	Dismissed: Other Auditor review of complaint found no policy violations.
November-24	December-24	49	Inquiry	RP complained that for a suicidal response, Cahoots should have responded to the scene, not EPD.	Lieutenant explained to RP that EPD arrived on scene because she was armed. LT. also reminded RP that she was offered and refused Cahoots services.
November-24	November-24	10	Service Complaint	RP's vehicle was broken into and the officer's contact card was left on the vehicle. RP complained he has left multiple voicemails but cannot get in contact with the officer.	Sgt. coached the officer on how to obtain his voicemails and directed him to contact the RP.
November-24	November-24	4	Inquiry Dismissed: Other	RP complained a police SUV vehicle had on the sirens, high beams, fog lights, and search lights when driving down West 6th near Chambers which made it difficult to discern that the siren lights were actually on.	Dismissed: Other Auditor review of complaint found no policy violations.
November-24	November-24	6	Inquiry Dismissed: Other	RP complained that an officer was harassing her by repeatedly writing citations for illegal window tint on her car.	Dismissed: Other Auditor review of complaint found no policy violations.
November-24	December-24	18	Service Complaint Dismissed: Other	RP complained officers were given incorrect information and were not dispatched appropriately.	Dismissed: Other Auditor review of complaint found no policy violations.
November-24	December-24	28	Policy Complaint	RP submitted a community complaint discussing the rise in crimes targeting Asians and the community's dissatisfaction in Eugene's law enforcement for not taking preventative steps to protect the Asian community.	Sgt. found no policy violations had occurred and appears EPD went above and beyond in their duty. Sgt. spoke with RP regarding the ability and limitations to release information involving open cases to the community.
November-24	January-25	49	Service Complaint	RP complained about slow response time of officers.	Lt. found no policy violations and spoke to RP.
November-24	December-24	28	Service Complaint	RP complained nothing is being done in regards to the report he made of hackers harassing him and sending pictures of his son and death images of children to his website.	Supervisor explained to RP that hacking cases are sent to the FBI since EPD does not currently have a computer crimes detective.

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November-24	November-24	0	Inquiry Dismissed: Other	RP stated EPD officers took her purse, backpack, and medications and have not returned them.	Dismissed: Other Auditor review of complaint found no policy violations.
November-24	January-25	43	Service Complaint	RP complained that the officer ignored them and continued verbal communication even after attempting to explain her and her husband are deaf.	Sgt. found no violation of policy or professionalism, however, believe it is in the best interest of the hearing/sight disabled community that we provide staff with additional training on EPD Policy 370.
November-24	January-25	61	Service Complaint	RP complained EPD never responds when services are requested.	Supervisor found that calls were being triaged appropriately and handled within policy.
November-24	January-25	42	Inquiry	RP complained that an officer continued to look through her windows after asking them to stop.	Sgt. found that the officers' actions were within policy and based on legitimate investigative steps/techniques.
November-24	February-25	64	Inquiry	RP complained that an officer allowed a witness to lie on a police report and say hurtful things to him.	During investigation Sgt. found the officer remained objective and aware of biases occurring while protecting speech.
December-24	January-25	53	Service Complaint	RP complained about the amount of time it took EPD to perform a welfare check.	Supervisor found the call was prioritized appropriately based on the limited information provided to EPD. Additionally, an earlier response time would not have changed the outcome of the welfare check.
December-24	January-25	52	Inquiry	RP complained that an Officer released her dog into the custody of someone she does not know or approved.	Supervisor believed the officers had acted in the best interest of the animal and did not find any policy violations.
December-24	January-25	42	Inquiry	RP complained that an officer was tailgating him.	Supervisor spoke with RP regarding his concerns, but after investigation, found no records of EPD-related incidents at the location provided.
December-24	December-24	13	Policy Complaint	RP complained that the police had threatened an organization for providing food to the homeless in the park.	Sgt. explained to RP that the organization was engaging in unpermitted activity in the park, blocking a sidewalk, and were warned that if they returned, they would be arrested since they were given a warning. No EPD policy violations occurred.

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December-24	December-24	4	Inquiry Dismissed: Outside Jurisdiction	RP complained police had robbed and raped her and were killing her with poisons.	Dismissed: Outside Jurisdiction
December-24	December-24	7	Incident Review	RP complained she had been arrested for DUI even though she had been the one to call 911 and had been standing in her driveway. RP also stated she was not provided with medical attention when asked.	During investigation it was found that RP had been driving the vehicle and had arrived after an officer was at the residence. During the interaction, RP continually disobeyed lawful commands and became combative. RP was provided medical attention at the hospital.
December-24	January-25	31	Service Complaint	RP complained that an officer was driving erratically and almost caused multiple accidents.	Sgt. found no policy violations, however, informed RP that EPD would have a discussion with the officer.
December-24	December-24	16	Incident Review	RP complained he was cited with three traffic violations and was not in Lane County at the time. RP also complained that the officer lied in court regarding him driving the vehicle. RP also complained he was targeted for racial bias.	Sgt. found during investigation other incidents where another individual was providing false identification in the RP's name. An additional report has been generated for "Giving False Information to a Peace Officer", which should resolve the court and citation issues.
December-24	December-24	0	Inquiry Dismissed: Other	RP complained dispatch would not transfer him to OSP and hung up on him.	Dismissed: Other Auditor review of complaint found no policy violations.
December-24	December-24	1	Service Complaint Dismissed: Other	RP complained that an officer is extremely rude and "looking to arrest" him.	Dismissed: Other
December-24	January-25	10	Policy Complaint	RP sent a generalized complaint regarding EPD's treatment of unhoused individuals.	Sgt. shared resource links with RP for the unhoused and brainstormed ways she could continue to volunteer and advocate for the unhoused community.
December-24	January-25	10	Service Complaint Dismissed: Other	RP complained that an officer should be ashamed of his behavior.	Dismissed: Other Auditor review of complaint found no policy violations.

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December-24	January-25	29	Policy Complaint	RP complained that an officer was throwing away property of unhoused individuals during a "sweep" and would not allow her to help return it.	Sgt. explained it is not normal procedure to allow a random citizen to go through property picked up by Public Works. Public Works also has their own policies and procedures regarding the gathering, inventorying, and storage of property.
December-24	January-25	6	Inquiry Dismissed: Other	RP complained that the officer that pulled her daughter over was rude and did not provide clear instructions.	Dismissed: Other Auditor review of complaint found no policy violations. RP was not present at the time of interaction, had misinformation.
December-24	January-25	27	Inquiry	RP complained that she does not believe EPD is properly investigating her reports and weird activity regarding being targeted.	Sgt. found that that Officer acted professionally and accurately documented the statements and concerns in the police report.
December-24	December-24	3	Service Complaint Dismissed: Other	RP complained that an officer refused to take his police report.	Dismissed: Other Auditor review of complaint found no policy violations.
December-24	January-25	30	Inquiry	RP complained that an EPD call taker did not take the complaint about homeless camping on City property seriously.	Supervisor found that the call taker was polite, courteous, and patient, however, the employee training the call taker was in violation of policy by not entering a call for service. A call for service was entered and resolved.
December-24	January-25	2	Inquiry Dismissed: Other	RP complained that the same officer is targeting her and has ticketed her multiple times.	Dismissed: Other Auditor review of complaint found no policy violations.
December-24	January-25	2	Inquiry Dismissed: Timeliness	RP complained he was assaulted by an officer during his arrest.	Dismissed: Timeliness
December-24	January-25	15	Inquiry	RP complained her phone was seized by officers when it was in her daughter's possession.	Sgt. Explained to RP that the officer had a signed warrant for the seizure of the phone.

Date	Event	Participation Level
Tuesday, January 9, 2024	KLCC Oregon Rainmakers Podcast	Interview
February/March 2024	St. Mary's Catholic Church Presentation	Presentation
Thursday, February 29, 2024	EPD New Recruit Officer Training	Presentation
Monday, April 1, 2024	Urban Growth Strategies Translation	Translation
Monday, April 1, 2024	Police Oversight – Olympia, Washington	Interview
Tuesday, April 23, 2024	Police Executive Research Forum – Promoting Health and Wellness for Women in Policing	Trainings
Tuesday, April 23, 2024	Improving Cardiac Arrest Survival Training	Training
Tuesday, April 23, 2024	Run, Hide, Fight Training	Training
Tuesday, April 23, 2024	NACOLE – Using Data and Collaboration to Drive Innovation and Change	Training
Wednesday, April 17, 2024	LCOG Senior & Disability Services Resource Fair*	Tabling
Wednesday, May 8, 2024	2023 Police Auditor Annual Report Presentation to City Council	Presentation
Friday, May 24, 2024	Planning Department Centers Translation	Translation
Wednesday, June 5, 2024	Housing and Urban Growth Community Open House	Tabling
Friday, June 7, 2024	Office of Equity and Community Engagement Survey Translation	Translation
Saturday, June 8, 2024	We are Bethel Celebration	Tabling
Thursday, June 13, 2024	City Hall Signage Translation	Translation
Monday, June 24, 2024	We are Bethel Celebration	Tabling
Thursday, June 20, 2024	Command Leadership Training – Mock Internal Affairs Investigation	Training
Monday, June 24, 2024	Introduction to Web Accessibility	Training

Wednesday, June 26, 2024	EPD Command Leadership Training	Presentation
Thursday, June 27, 2024	ECE Network Demographic Recommendations Translation	Translation
Friday, July 5, 2024	OSHA Working in the Heat / Exposure to Smoke Training	Training
Thursday, July 18, 2024	City Hall Open House	Tabling
Friday, July 19, 2024	Planning and Development 72-hour Notice Translation	Translation
Saturday, July 20, 2024	Noche Cultural	Tabling
Saturday, July 27, 2024	Oregon Asian Celebration	Tabling
Sunday, July 28, 2024	National Night Out	Tabling
Sunday, July 28, 2024	Whiteaker PRIDE Cultural Celebration*	Materials Present
Thursday, August 1, 2024	All Supervisor Training at EPD	Training
Thursday, August 1, 2024	Migrant Education Program Summer School Mercado	Tabling
Saturday, August 10, 2024	PRIDE in the Park	Tabling
Wednesday, August 14, 2024	IAPro NextGen User Interface Training	Training
Wednesday, August 14, 2024	Friendly Area Neighbors Social and Mural Event*	Tabling
Tuesday, August 20, 2024	System Development Charge Translation	Translation
Thursday, August 22, 2024	Boards and Commission Annual Training	Training
Thursday, August 22, 2024	Pre-Academy Training with New EPD Recruits	Training
Saturday, August 24, 2024	Aloha Festival	Tabling
Saturday, August 24, 2024	Obon & Taiko Festival*	Tabling
Saturday, August 24, 2024	Whiteaker Community Council 50 th Anniversary Celebration*	Tabling
Tuesday, August 27, 2024	EPD New Recruit Officer Training	Presentation

Friday, September 6, 2024	Fiesta Cultural	Tabling
Saturday, September 7, 2024	Southeast Neighbors Annual Picnic	Tabling
Sunday, September 15, 2024	Spanish Fix-It Fair	Tabling
Sunday, September 22, 2024	YMCA Welcoming Festival	Tabling
Friday, September 27, 2024	Criminal Justice Information Systems Training	Training
September 30 - October 3, 2024	Versaterm Professional Standards and Investigations Training	Training
Sunday, October 13, 2024	National Association for Civilian Oversight of Law Enforcement Conference	Training
Tuesday, October 15, 2024	Criminal Justice Information Services Security and Privacy Training	Training
Thursday, October 17, 2024	Cybersecurity Awareness Training	Training
Thursday, October 24, 2024	EPD New Recruit Officer Training	Presentation
Friday, November 1, 2024	Plaza de Nuestra Comunidad Viernes de Comida	Tabling
Friday, November 1, 2024	Día de los Muertos Celebration	Tabling
Monday, November 4, 2024	Easterseals of Oregon Program Presentation	Presentation
Tuesday, November 5, 2024	Pilas! Family Literacy Program Presentation	Presentation
Thursday, November 7, 2024	Latino Family Night at Springfield High School	Tabling
Thursday, November 7, 2024	The Arc of Lane County Food Bank Days	Tabling
Wednesday, November 13, 2024	Spanish Community Resource Fair	Organized Community Event
Friday, November 15, 2024	How Was Your Day: Getting Real about Bias, Inclusion, Harassment & Bullying Training	Training
Friday, November 15, 2024	Mandatory Reporting Training	Training
Friday, November 15, 2024	OSHA Heat Requirements Training	Training

Tuesday, November 19, 2024	NACOLE – Disciplinary Matrices in Policing and Civilian Oversight	Attendance
Wednesday, November 20, 2024	Latinx Listening Session Translation	Translation
Thursday, November 21, 2024	Transportation Department Protected Bike Lanes Translation	Translation
Tuesday, November 26, 2024	Parking Services Extreme Cold Weather Policy Update Translation	Translation
Fall/Winter 2024	Police Auditor Recruitment Efforts	Community Outreach
December 2-5, 2024	Use of Force Summit: Daigle Law Group	Staff Attendance
Thursday, December 5, 2024	Bethel Area Planning – Public Safety Meeting	Staff Attendance
Thursday, December 12, 2024	Boards and Commissions Staff Liaison Training	Training
Thursday, December 12, 2024	City Hall Building Rules Translation	Translation
Thursday, December 12, 2024	Belonging Module 1 Training	Training
Tuesday, December 17, 2024	Latinx Listening Session	Staff Attendance
Thursday, December 19, 2024	EPD New Recruit Office Training	Presentation
Thursday, December 19, 2024	Belonging Module 2 Training	Training
Saturday, December 21, 2024	National Homeless Persons’ Memorial Day	Tabling
Monday, December 30, 2024	Conversation with Cottage Grove Police Chief to Discuss Law Enforcement Training around Oregon’s Sanctuary Status	Meeting
Recurring, weekly	Aquí en la Ciudad Production Team meetings	Meeting
Recurring, biweekly	Internal Affairs Technical meetings	Staff Attendance
Recurring, monthly	United for Immigrant Justice meetings	Staff Attendance
Recurring, monthly	Latinx Outreach Network	Staff Attendance
Recurring, monthly	Civilian Review Board Meetings	Staff Attendance, Support
Recurring, monthly	Human Rights Commission meetings	Staff Attendance

Recurring, monthly	Police Commission meetings	Staff Attendance
Recurring, monthly	OECE Community Engagement Work Planning	Meeting
Recurring, monthly	Eugene Police Employees' Association Leadership meetings	Meeting
Recurring, monthly	Auditor Supervision meetings with Council Leadership	Meeting
Recurring, monthly	Mayor and Auditor Supervision meetings	Meeting
Recurring, quarterly	Emergence Latinx Advisory Group meetings	Meeting

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Public Health Standards

Meeting Date: June 18, 2025
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Reid Verner
Contact Telephone Number: 541-682-5534

ISSUE STATEMENT

In response to City Council direction, Planning and Development staff are working on a project to evaluate and determine whether an update to the land use code would help address community concerns related to residents living near industrial areas within the City limits. Staff have completed the initial process of soliciting feedback from residents, businesses, and community organizations and will present a summary of the feedback to Council at this work session. Following the presentation of public feedback, staff will ask City Council for additional direction; specifically, direction on Council's desired next steps for the Public Health Standards (PHS) project.

BACKGROUND

Beginning in 2022, City Council has discussed the concept of a public health overlay zone and other land use tools that could help to mitigate conflicts between residential and industrial areas. An overlay zone is traditionally limited to a specific geographic area, while development standards would generally apply City-wide.

On October 18, 2023, Council voted to direct the City Manager to initiate a land use code amendment to implement citywide public health industrial development standards. At the time, the Public Works Sustainability team was developing a plan and request for proposals (RFP) to generate Eugene-specific information regarding chronic toxic polluters, which would have provided foundational information from which to develop public health standards. That work was delayed primarily due to a lack of response to the RFP. While staff continued to seek ways to generate this data, there was interest from the Council and the community in moving the public health standards process forward. Staff pivoted from the previous approach and designed a process to evaluate and determine whether land use and other Eugene code standards could be implemented without the Eugene-specific pollution data.

Public Health Standards Project

In January 2024, Planning and Development staff launched the [Public Health Standards](#) (PHS) project to identify possible changes to Eugene's land use regulations to address the concerns of residents living near industrial areas within the City of Eugene. Through this project, staff have worked to:

- Engage residents, businesses, and community organizations on possible changes.

- Identify gaps in local, state, and federal regulation of industrial development.
- Consider enhanced land use regulations for new or expanded industrial developments located near residential zones, parks, schools, and other sensitive areas in order to mitigate community health risks.
- Gather additional recommendations for future changes to City policy, zoning of properties, programs and investments, or other ways to make changes through land use planning.

Community Engagement

Community engagement efforts focused on better understanding community views and perceptions of the issue and whether the land use code is the right tool to help address those concerns. Staff reached out to a broad spectrum of community members, including affected neighborhood groups, businesses, and environmental and community groups. The project team received feedback from a wide range of interested parties, and the views and perceptions shared with staff were contrasted. The Community Engagement Summary is provided as **Attachment A**.

Between January and May 2025, the project team organized both small- and large-group conversations to provide the opportunity to connect with specific communities. Over this time, the team connected with 250+ individuals across 19 meetings and events, analyzed 209 survey responses, and reached out to 18,500+ individuals through online information sharing platforms.

Key themes and takeaways from the City's engagement efforts included:

- Community Perspectives: understanding community views and perceptions of the issue.
 - Economic Risks: Representatives of the business community felt that new regulations will result in job losses, contribute to an economic downturn, and not achieve the goal of protecting public health.
 - Health Risks: Representatives from the Bethel and Trainsong neighborhoods, as well as environmental advocates, felt the City should change land use regulations to reduce the likelihood that neighborhoods will be contaminated by heavy industry in the future.
 - Toxins and Sites of Concern: Trainsong and Bethel residents felt the City should mitigate past harm by cleaning up existing toxins and investing in their neighborhoods. Others feel the project is a response to a bad actor (J.H. Baxter) rather than grounded in research to objectively identify the most concerning uses.
 - Finding Balance: Most community members agreed that the City should try to strike a balance in any regulatory changes.
 - Existing Regulations: Opinions were mixed on whether community members believe industrial activities are currently well managed given current federal, state, and local regulations. 52 percent of survey respondents disagreed that industrial activities are well managed, while 36 percent agreed.
- Land Use Changes: community feedback on land use code concepts presented by staff.
 - 66 percent of survey respondents supported changes to the process to require approval from agencies that regulate the environment impacts before issuing local development permits for certain new or expanded industrial development.
 - 71 percent of survey respondents supported changing the approval process by including additional criteria for new or expanded industrial uses near residential or

- sensitive areas (such as schools). Staff would need to develop these additional criteria as a next step.
- More generally, many residents in Bethel and Trainsong, as well as environmental advocates, urged the City to go beyond the code concepts presented and prioritize health over development. They also asked the City to provide a more robust and accessible community engagement process.
 - Others, including business representatives, urged the City to clarify the problem further with data and research before crafting a solution.

Research on Existing Regulations

In addition to seeking feedback from the community, staff have worked to better understand the existing regulatory framework for industrial developments. Within the City of Eugene, there are several regulatory tools and teams outside of land use, including the Fire Marshal, Code Enforcement, and the nuisance provisions of the Eugene Code. Additionally, other agencies, including the Lane Regional Air Protection Agency (LRAPA) and the Oregon Department of Environmental Quality (DEQ), regulate air, water, and land quality. More information regarding the specific regulatory functions of various agencies can be found in **Attachment B**.

Staff met with representatives from the Fire Marshal's Office, as well as representatives from LRAPA and DEQ, to get a better understanding of how those regulatory bodies function and to discuss ideas about how the City could use the land use code to better coordinate with those bodies. One item that emerged from those discussions is related to Land Use Compatibility Statements (LUCS). A land use compatibility statement is a form required by certain regulatory agencies, including DEQ and LRAPA, before the agency will issue a license or permit. A LUCS is used to determine whether the use proposed by the applicant is consistent with the City's land use regulations. There is currently nothing in Eugene's Land Use Code that requires an applicant to pursue or receive the necessary regulatory permits prior to receiving a development permit (such as a building or grading permit) from the City. The only check that staff is able to perform when receiving a LUCS application is to confirm that the proposed use is a permitted use in accordance with the land use table for the applicable zone.

Options for Next Steps

After completing the initial community engagement process, it is clear there is not agreement in the community about the scope of the issue or whether the land use code is the appropriate tool to address community concerns about the proximity of existing industrial developments and residential uses.

Without Eugene-specific information regarding chronic toxic pollutants, staff has been challenged to identify which types of industrial businesses, broadly classified in the land use table at [Eugene Code \(EC\) 9.2450](#), should be subject to additional regulations. Additionally, staff has insufficient information to determine whether additional regulations for specific uses could appropriately balance community health benefits with potential impacts to businesses.

During this work session, staff will present a list of options for next steps and are seeking refined City Council direction.

Future Projects

The project team also collected ideas for future changes to City policy, zoning, or programs that could help to mitigate issues beyond land use code changes within the scope of the Public Health Standards project.

As a part of Urban Growth Strategies, Planning staff are currently working on an update to the [Envision Eugene Comprehensive Plan](#), which includes adding a chapter on [Community Health](#). As proposed, this work can help ensure that future changes to land use designations will not result in new situations where land designated for industrial uses is located adjacent to land for residential uses and vice versa. However, this forward-looking work does not address community concerns about the historic development patterns that have resulted in residential uses filling in around those industrial areas located along railroad and other transportation corridors.

Community members also suggested other efforts outside the scope of this project could also help to mitigate conflict between industrial and residential uses. Staff will highlight some of these recommendations during the work session.

RELATED CITY POLICIES

This item supports the Council goal of Safe Community for Community Wellbeing and the focus area of Urgent Community Needs in the City of Eugene [Strategic Plan](#).

Envision Eugene Comprehensive Plan. The Economic Development Chapter includes the following relevant policies:

- 3.22 West Eugene industrial areas. Protect industrial areas in west Eugene, while supporting their evolution into diverse places of commerce with a flexible regulatory approach that offers a broad mix of employment and industrial uses, thereby accommodating increased employment densities and services to surrounding neighborhoods.
- 3.23 Flexible campus employment areas. Recognize changing market demands and accommodate land needs through flexible zoning for light industrial/campus employment areas, including Greenhill Technology Park, Willow Creek Circle and Chad Drive.
- 3.24 Environmental justice and compatibility. To promote compatibility between industrial lands and adjacent areas, apply and maintain land use regulations to avoid the siting of new heavy industrial uses in areas that already accommodate a disproportionate amount of such uses or near residentially designated lands, schools, day care centers, and community recreational facilities such as athletic fields, pools and playgrounds; or, mitigate typical associated impacts when adjacency cannot be avoided.

Neighborhood Planning. Several health-related aspects can be addressed through neighborhood planning, including walkability, transportation options, access to parks and open space and equitable opportunities for access to healthy food. Bethel and the University area neighborhoods are currently undertaking neighborhood planning efforts.

Climate Friendly and Equitable Communities Rulemaking Implementation. The City is currently developing and implementing several land use and transportation comprehensive plan and regulatory changes to reduce greenhouse gas emissions.

Climate Action Plan 2.0 (CAP 2.0). The purpose of the CAP2.0 is to outline the actions needed to reach Eugene's community-wide Climate Recovery Ordinance (CRO) goals. This plan, Eugene's Community Climate Action Plan 2.0 continues the momentum created by Eugene's Climate Recovery Ordinance by identifying research-based actions that will help the community reach its climate goals most quickly. The CAP 2.0 connects readers to other plans and policies already in place that are foundational to achieving these goals to create an equitable and livable community for everyone.

PREVIOUS COUNCIL DIRECTION

[February 28, 2022 City Council meeting](#)

Councilor Syrett, seconded by Councilor Groves, moved to direct the City Manager to schedule a work session on the concept of a public health overlay zone; the work session should provide information on what the benefits of creating an overlay zone might be, and how the City would develop criteria for deciding which areas of the City might benefit from such a zone.

Passed 8:0

[May 23, 2022 Work Session](#)

City Council held a work session titled Addressing Chronic Toxic Polluters and reviewed the City's role in the regulation of pollutants, the role of other regulatory authorities, and then discussed opportunities for the City's role in regulation. The breadth of possible pollutants across air, water, land, and noise, makes the regulatory environment associated with pollutants complex and multi-layered.

[September 26, 2022 Work Session](#)

City Council held a work session on Public Health Overlay Zone and Other Concepts.

[October 18, 2023 Work Session](#)

Councilor Groves, seconded by Councilor Keating, moved to direct the City Manager to initiate a land use code amendment to implement public health industrial development standards.

Passed 8:0

COUNCIL OPTIONS

Staff have identified two possible paths for the public health standards project and are seeking City Council direction to pursue one or more of the following options:

1. Direct the City Manager to draft land use code amendments to require that an applicant demonstrate, prior to the issuance of City Development permits, that either: (1) the applicant has been issued all necessary licenses and permits from pollution control agencies like LRAPA and DEQ, or (2) the applicant has applied for the necessary licenses and permits and the licenses and permits are likely to be issued.

2. Direct the City Manager, upon completion of the Hazard and Risk Analysis Study, to draft potential land use code amendments informed by the results of the Hazard and Risk Analysis.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the Council direct the City Manager to pursue both Options 1 and 2.

SUGGESTED MOTION

Move to direct the City Manager to draft land use code amendments that require an applicant to demonstrate, prior to the issuance of City development permits, that required pollution control permits have been issued or are likely to be issued.

AND

Move to direct the City Manager, following completion of the Hazard and Risk Analysis Study, to draft land use code amendments that are informed by the results of the study.

ATTACHMENTS

- A. Public Health Standards Project Community Engagement Summary (June 2, 2025)
- B. How are industrial developments regulated in Eugene

FOR MORE INFORMATION

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Public Health Standards Project

Refining Eugene's land use code for industrial development

Community Engagement Summary

June 2, 2025

The City of Eugene is committed to supporting a healthy built environment for all community members, as well as an economic climate where businesses can grow and thrive. Land use planning is one way the City can encourage development where residents have access to clean air and water and opportunities for economic prosperity.

The [Public Health Standards](#) project is working to identify possible changes to Eugene's land use regulations to address the concerns of residents living near industrial areas within the City of Eugene. Through this project, the City is:

- Engaging residents, businesses, and community organizations on possible changes.
- Identifying gaps in local, state, and federal regulation of industrial development.
- Considering enhanced land use regulations for new or expanded industrial developments located near residential zones, parks, schools, and other sensitive areas in order to mitigate community health risks.
- Gathering additional recommendations for future changes to City policy, zoning of properties, programs and investments, or other ways to make changes through land use planning.

Community Engagement Strategy

[Read the project Community Engagement Strategy here](#), which proposed a variety of opportunities for the community to engage and contribute to any possible changes. City staff reached out to a broad spectrum of community members, including affected neighborhood groups, businesses, and environmental and community groups.

Early in the community engagement process, staff determined that more work was needed to understand the scope of the issue and key concerns from community members before proposing draft land use code changes. Staff adjusted engagement activities to focus on broader discussions about trade-offs, understanding key concerns, and socializing land use concepts. Staff will present key themes and takeaways to the City Council, who can then provide more specific direction to staff on the next steps for the project.

Key Themes and Takeaways

The intent of the Public Health Standards project is to identify tools within the land use code to mitigate issues arising from adjacent industrial and residential development. Engagement efforts

Public Health Standards Project
Community Engagement Summary

focused on better understanding community views and perceptions of the issue, and where the land use code might be the right tool to address those concerns. The project team also collected ideas for future changes to City policy, zoning, or programs that could help to mitigate issues beyond land use code changes.

Community Perspectives

The views and perceptions shared with staff were polarized. Some key themes included the following:

- **Economic Risks:** Representatives of the business community shared the challenges of managing a business in Eugene and the worry that new regulations will result in job losses, contribute to an economic downturn, and not achieve the goal of protecting public health. Some expressed concern that by only regulating industrial development, housing could continue to be sited near industrial areas without similar restrictions. Others questioned the impact that additional regulations would have on the City's Buildable Lands Inventory and economic development goals.
- **Health Risks:** Representatives from the Bethel and Trainsong neighborhoods, as well as environmental advocates, shared concerns about health risks. They believe the City should change land use regulations to reduce the likelihood that their neighborhoods will be contaminated by heavy industry in the future.
- **Toxins and Sites of Concern:** Trainsong and Bethel residents shared stories of losing loved ones to rare cancers in areas near the J.H. Baxter site. They feel the City should mitigate past harms by cleaning up existing toxins and investing in their neighborhoods. In survey responses, specific industrial activities, such as chemical manufacturing and fuel storage, were frequently mentioned as particularly concerning. Other industrial uses identified in the comments included: wood products manufacturing, wood preservation, cannabis processing, motor vehicle body repair and paint, gas stations, waste and recycling facilities, microplastics, and any use/activity that uses toxic chemicals or potentially emits toxins into the air, water, or soil. Other community members and business representatives voiced concern that the project was a response to a bad actor (J.H. Baxter) rather than grounded in research to objectively identify the most concerning uses.
- **Finding Balance:** Most community members agreed that the City should try to strike a balance in any regulatory changes. Most agreed it is important to carefully weigh the costs and benefits of new regulations (87% of survey respondents) and also agreed that it is important to consider the health of residents living near industry (94% of survey respondents).
- **Existing Regulations:** Where many community members diverge is whether they believe industrial activities are currently well managed given current federal, state, and local regulations. 52% of survey respondents disagreed that industrial activities are well managed, while 36% agreed.

Selected quotes from engagement participants that highlight these themes are included below:

"The negative health impacts for households near heavy industrial areas fall hardest on lowest income, people of color, and people with English as a second language. We can see this in cancer rates and lower life expectancy in Bethel and Trainsong. This is not fair."

Public Health Standards Project
Community Engagement Summary

“The future opportunity cost of this project is very high. You are signaling instability and lack of assurance to business owners and investors. Businesses will stop investing and leave Eugene.”

“The Federal government and its agencies can no longer be trusted to be good stewards of the environment or the health of American citizens. The State of Oregon and the City of Eugene need to take the lead in establishing guidelines, identifying bad industrial actors, and proactively punishing them for disobedience.”

“Concerned that well-regulated, local companies will be penalized due to 1-2 bad actors or general misperceptions about health issues. We all use products that have environmental hazards...and these industries shouldn't all be located in red states with limited regulation and no enforcement.”

Land Use Changes

The community offered ideas and feedback on several land use code concepts presented by staff during engagement events. Key themes included the following:

- In response to land use concepts proposed by staff, the most popular included:
 - **66%** of survey respondents supported changes to the process to require approval from agencies that regulate the environment impacts before issuing local development permits for certain new or expanded industrial development.
 - **71%** of respondents supported changing the approval process by including additional criteria for new or expanded industrial uses near residential or sensitive areas (such as schools).
- Go beyond the code concepts presented and prioritize health over development.
 - Create a buffer zone between residential and industrial development, ban harmful uses, and require public hearings for new and expanded industrial uses near homes, parks and schools.
 - Strengthen local rules relating to traffic analysis, health criteria, and hazardous materials.
- Clarify the problem with data and research before crafting a solution.
 - To find balance between economic development and the health and safety of residents, the City should bring in qualified individuals to properly study the impacts of the specific industries, before considering changes that attempt to solve a problem that is not clearly identified.
 - Strengthen the implementation of the current regulatory framework for industrial development and expansion. It is comprehensive and provides robust protection for public health.
 - Local land use changes will not address community concerns, and the economic costs are high.
- Provide a more robust and accessible community engagement process.
 - Include more information and background in materials.
 - Expand the timeframe of the outreach and accessibility of the survey.
 - Increase the methods of sharing information and input opportunities for the public.

Selected quotes from engagement participants that highlight these themes are included below:

“If there are gaps in the regulatory agency process, I would like to see that fixed.”

Public Health Standards Project
Community Engagement Summary

“It is a balancing act between meeting the requirements of putting food on the table and the environment. I hope for “rapprochement.”

“Trainsong is an example of how zoning and land use has NOT worked in our community. You’ve got to help us!”

Future Changes

Engagement participants recommended additional actions the City could take to meaningfully mitigate conflict between industrial and residential uses. Recommended actions vary widely, depending on personal experience, organizational priorities and location.

- Address disparate impacts and perceived lack of investment in Bethel and Trainsong.
 - Impacts and costs of unhoused individuals in their neighborhoods.
 - Transportation system improvements and impacts, including railyard operations, noise, and truck traffic.
- Enhanced enforcement of existing regulations and cleaning up contaminated sites.
- Better funding for the remediation of brownfield sites.
- Change other sections of the Eugene Code related to the allowance for gas stations and outdoor lighting standards.
- Require businesses to pay into emergency funds to use to clean up accidental spills and release of toxins.

Selected quotes from engagement participants that highlight these themes are included below:

“We are more clever than we are wise. Industrial pollution damages our health in many ways. We privatize profits but socialize costs. This is unacceptable.”

“I am a homeowner in Trainsong. We receive absolutely no direct benefit from current industrial activity in our neighborhood - quite to the contrary - noise, bad air, contaminated soil. We bear the brunt of these activities in West Eugene, yet City tax distributions don’t reflect that burden.”

“We have plenty of regulations, the problem is that they are not enforced. Adding more regulations only punishes small businesses while not actually solving any problems.”

“Consider sum total of expanded industrial uses, not just look at land use decisions on a piece by piece basis, i.e. establish a threshold of acceptable industrial activities for any given area and don’t go beyond that. Looking at the map, it is astonishing how much heavy industrial land lies within or adjacent to just a few neighborhoods. Consider the impact of any increased truck traffic, including noise and exhaust.”

“When you consider land use planning and city management, I urge you to consider investing in the communities that border these industrial areas. Don’t forget to invest in improvements for people living in these places.”

“The city has rigorous standards in place that are more than adequate to address the impacts of employment-related uses. I’m not sure why the city is devoting time to this project, and what measurable outcomes are expected to come from it. Staff time and

Public Health Standards Project Community Engagement Summary

resources may be better deployed toward other, more applicable needs – for example, addressing derelict buildings throughout the community that directly affect neighborhood livability and value, or working toward creating true transit-oriented development.”

Engagement Activities

Between January and May 2025, the project team organized both small- and large-group conversations to provide the opportunity to connect with specific communities, listen deeply, and work together to formulate potential solutions. Over this time, the team connected with **250+** individuals across **19** meetings and events, analyzed **209** survey responses, and reached **18,500+** individuals through online information sharing platforms.

The sections below describe the engagement activities conducted and who participated in each event. Summaries from each activity are provided in the Appendices.

Information Sharing

Staff provided opportunities for the public to learn about the project and provide input through a variety of formats, including regular updates through City newsletters, a project webpage, Engage Eugene page, social media, and more. Newsletters provided general information, upcoming Planning Commission meetings, project updates, and promoted the survey and events. The specific platforms used to share this information included:

- [Public Health Standards Webpage](#)
- [Public Health Standards Engage Eugene page](#) (322 informed visitors as of 5/27/25)
- Newsletters
 - [EUG Planning Newsletter](#) (16,591 subscribers as of 5/27/25)
 - [Neighborhood Association Newsletters](#) (527 subscribers as of 5/27/25)
 - [News to Build On](#) (813 subscribers as of 5/27/25)
- EUGPlanning Instagram (339 post and story views as of 5/27/25)

City-Sponsored Community Meetings

The City hosted one virtual and two in-person meetings to share information about the project, answer community questions, and offer additional opportunities for input. Staff proactively shared the meeting invites with business and community organizations, including groups reaching people from underserved communities. **22 individuals** participated in the online webinar and **19 people** participated across the two in-person meetings, both hosted at the Eugene Downtown Library.

A summary of questions and concerns shared during City-sponsored community meetings is available in [Appendix A](#).

Individual and Small Group Interviews

Staff held **7 informal conversations** with **30 individuals** representing key community partners to help answer important questions at specific points in the process. Interview participants included:

- Active Bethel Community
- Beyond Toxics
- Eugene Area Chamber of Commerce
- Lane County Public Health

Public Health Standards Project
Community Engagement Summary

- Lane Regional Air Protection Agency
- Oregon Department of Environmental Quality
- Oregon Health Authority
- Representatives of the local business community

A summary of questions and concerns shared through interviews is available in [Appendix B](#).

Community Outreach Events

To reach members of underserved communities and impacted neighborhoods, the project team participated in four events in the Bethel and Trainsong neighborhoods reaching families and young people. These events included:

- Bountiful Bethel event at Kalapuya High School on April 21
- Produce Plus Program food pick-up event at Kalapuya High School on May 15
- Tabling at Trainsong Park on May 17
- Tabling at the We Are Bethel event on May 31

Between these four events, the project team reached an estimated **96 individuals**. The team also shared print flyers at community events, including the NAACP Health Fair.

A summary of feedback received through community outreach events is available in [Appendix C](#).

City Boards, Commissions, and Neighborhood Associations

Staff presented on the Public Health Standards project to several advisory groups, including groups involved in the ongoing neighborhood planning in the Bethel area. An estimated **101 participants** across the **5 presentations**, although there were many individuals who joined multiple events in the Bethel area. At each presentation, staff shared information on the project, sought policy feedback, provided an opportunity for participants to ask questions, and asked them to share the project with their networks. These presentations included:

- Bethel Neighborhood Planning, March 13, 2025
- Active Bethel Community Board, March 19, 2025
- Eugene Sustainability Commission, April 16, 2025
- Eugene Neighborhood Leaders Conference, April 26, 2025
- Active Bethel Community and Trainsong Neighbors, May 15, 2025

Staff worked closely with the City's Office of Equity and Community Engagement to share information with Neighborhood Associations.

A summary of questions and concerns shared by City boards, commissions, and Neighborhood Associations is available in [Appendix D](#).

Community Survey

From April 16 to May 18, 2025, **209 individuals** participated in a survey to understand opinions on possible changes. Staff worked to distribute the survey opportunity to interested and impacted communities and organizations, as well as the general public. The survey asked participants the following questions, including several questions modeled on standard U.S. Environmental Protection Agency surveys focused on risk perception in communities impacted by pollution.

Public Health Standards Project
Community Engagement Summary

- Indicate your agreement with the statements below:
 - In planning for the future, it is important to carefully weigh the **future costs and benefits** of adding regulations to new or expanding industrial activities.
 - In planning for the future, it is important to consider the **health of residents** living in areas near new or expanding industrial activities.
 - New or expanding industrial activities located in the City are **well managed and risks are low**, due to extensive [federal, state, and local regulations](#).
 - [Existing federal, state, and local regulations](#) **don't do enough to manage the risks** of new or expanding industrial activities.
 - The **costs** of additional regulations for new or expanding industrial activities **outweigh the potential benefits** because they could result in a loss of economic opportunity.
 - The **benefits** of additional regulations for new or expanding industrial activities **outweigh the potential costs** because they could protect human health and neighborhood livability.
- What questions or concerns do you have related to the issue of housing located near industrial areas?
- Are there any specific industrial uses you are concerned about (near housing)?
- The City of Eugene is considering the following options for coordination with other regulators. Which options do you think are important to consider?
- What other ideas or feedback do you have on coordination with other regulatory agencies?
- The City of Eugene is considering the following options for development standards. Which options do you think are important to consider?
- What other ideas or feedback do you have related to changing development standards and approval criteria for new or expanded industrial development?
- What other ideas or feedback do you have for the City for this project or future work?

A summary of survey results is available as [Appendix E](#) and a complete report of all survey response data, including open-ended comments, is [available here](#).

Public Health Standards Project
Community Engagement Summary

Appendices

The following appendices provide detailed notes from specific engagement activities.

Appendix A. City-sponsored Community Events Notes

Online Public Information Session, April 1 from 12:00 – 1:00 PM

Twenty-two members of the public attended, including representatives of local businesses, environmental advocacy groups, neighborhood residents and groups, tenant representatives, state agencies, low-income housing and service organizations, and the development and design communities. The meeting was webinar format, with City staff and project support sharing cameras, and participants able to post in the chat and Q&A feature. Following a presentation, staff read comments and questions from participants and replied.

City staff shared resources in the chat for participants, including:

- Webpage and Engage pages, including upcoming meetings:
- <https://engage.eugene-or.gov/public-health-standards>
- <https://www.eugene-or.gov/5359/Public-Health-Standards>
- In response to question about lighting: <https://eugene.municipal.codes/EC/9.6725>

The following is a list of comments and questions by participants:

- How is light pollution regulated in Eugene’s code, are we considering dark-sky international standards?
- E-2 zone: what are the allowed mixed-uses in that zone? Is housing a permitted use in the E-2 industrial zone?
- Is the City considering changes to employment zones (E-1 and E-2) and how would this project relate?
- Except for polluted areas, why wouldn’t housing be allowed in industrial zones?
- Are the environmental regulations locally or state regulated? Might they be relaxed due to actions at the federal level?
- The City needs more land dedicated to developing housing, can this project address this need?!
- Excellent book to read: [Key to the City, How Zoning Shapes Our World](#)
- Will a triple-bottom-line analysis be part of this project (equity, economic, environmental factors)?
- Would these changes impact existing uses as well as future uses?
- Can you share examples of changes you are considering? Or examples of what might be included in a more surgical approach?
- None of the new rules will affect railroad lands due to federal regulations for railroads.
- Are staff considering the potential for a performance-based approach and where has this worked elsewhere?

Public Health Standards Project
Community Engagement Summary

Community Meeting, Thursday, April 17 from 11:00 AM to 12:30 PM
Bascom-Tykeson Room, Eugene Public Library, 100 W 10th Ave in Eugene

Five members of the public attended this meeting, including representatives from the Eugene Area Chamber of Commerce, Beyond Toxics, Active Bethel Community, Darksky, and Emerald Village. After introductions, staff shared a presentation followed by discussion on the following questions:

- What concerns do you have related to the issue of housing located near industrial areas? Are there specific industrial uses you are concerned about (near housing)?
- How can we bring the community together to become healthier, build the economy, and increase livability?
- The City has considered some tools to address this issue, such as closer coordination with existing regulatory processes and additional development standards. What tools do you see as the most effective way to address the issue?

In addition, the following materials were shared with participants:

- Agenda
- [Preview of Online Survey](#)
- [Eugene Industrial Areas Zoning Map](#)
- [Fact Sheet on Existing Regulations for Industrial Development](#)
- [Fact Sheet on Connection between Land Use Planning and Community Health](#)

The following is a list of comments and questions by participants:

- Could you clarify the public decision process?
- What steps are you taking to reduce light pollution in industrial areas? Current lighting standards do not shield Emerald Village from light pollution. I suggest creating a lighting inventory for industrial areas to better understand, monitor, and regulate light pollution.
- As a former timber worker, I would like to factor out local complaints from reasonable emissions. Are current plumes toxic? For example, I would like to better understand how Sierra Pacific operations on OR99 work.
- My understanding is that Sierra Pacific is highly compliant.
- Sierra Pacific is a top emissions producer.
- It is a balancing act between meeting the requirements of putting food on the table and the environment. I hope for “rapprochement.”
- The concentration of industry is an issue - we need to spread it out - locate it on transportation corridors that are away from residential areas.
- The negative health impacts for households near heavy industrial areas fall hardest on lowest income, people of color, and people with English as a second language. We can see this in cancer rates and lower life expectancy in Bethel and Trainsong. That is not fair.
- Life expectancy is related to a number of factors, including access to health care and dietary differences. Are we solving for a problem that is not based on factual data? We need to better understand how pollution, noise, and light impacts people.
- High cancer rates are due to chemical impacts. We know where the toxicity is coming from, this is not rocket science. We can't fix socio-economic issues instantly, but we can plan for the future. We shouldn't add to the existing problem.
- How is the water quality in the area?

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- Baxter existed before existing regulations, they were not compliant, and everyone acknowledges that. But using land use to regulate behavior does not work well. The way you produce products is the key factor, not what you are producing. Scope, scale and process are not well reflected in land use code. Business is very supportive of regulations, but land use is not the right tool for regulating health.
- If there are gaps in the regulatory agency process, I would like to see that fixed.
- Currently, there are still gaps in regulation and certain land use types are associated with harm, such as heating chemicals near people. Clear Lake overlay is an example of a starting point.
- How about increasing public reporting and accountability?
- We need to use all the tools available to us.
- Eugene has always had a pushback against business.

Community Meeting, Thursday, April 24 from 11:00 AM to 12:30 PM
Bascom-Tykeson Room, Eugene Public Library, 100 W 10th Ave in Eugene

Fourteen members of the public attended this meeting, including representatives from the business community, media, Community Supported Shelters, the architecture community, City of Springfield, Beyond Toxics, Active Bethel Community, Trainsong neighbors, and Lane County Public Health. After introductions, staff shared a presentation followed by discussion on the following questions:

- What concerns do you have related to the issue of housing located near industrial areas? Are there specific industrial uses you are concerned about (near housing)?
- How can we bring the community together to become healthier, build the economy, and increase livability?
- The City has considered some tools to address this issue, such as closer coordination with existing regulatory processes and additional development standards. What tools do you see as the most effective way to address the issue?

In addition, the following materials were shared with participants:

- Agenda
- [Preview of Online Survey](#)
- [Eugene Industrial Areas Zoning Map](#)
- [Fact Sheet on Existing Regulations for Industrial Development](#)
- [Fact Sheet on Connection between Land Use Planning and Community Health](#)

The following is a list of comments and questions by participants:

- The Chamber of Commerce is opposed due to increased costs for businesses. However, as a member of the design community I think that housing has to be separated from industrial. Concerns of noise, pollution, children – these are not uses that should mix. Big industrial especially.
- The question for this process – what current regulations aren't working? What problem are we trying to solve today? What are mistakes from the past? Are we trying to fix a problem from a long time ago?
- This problem has been going on for a long time, and people are suffering from it. We need to mitigate that initial zoning decision – places that are most affected are places that are

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low income, people with disabilities, single mothers raising children. People who are historically marginalized, living in industrial waste lands. For example, multi-unit housing complex on Roosevelt Blvd that is adjacent to a hazmat facility.

- Consider implementing regulations city-wide based on the Beyond Toxics proposal for a West Eugene overlay zone with a quarter-mile separation between industrial/polluting businesses and residential, and a long list of types of uses that were banned.
- Don't add to the pollution that's next to housing. Don't add anymore... but not sure what to do with the ones that are already there. Don't allow another use like Baxter.
- Safe Spot communities are located on land leased by the City. Our primary goal is short term need for housing: would these regulations impact where unhoused folks are allowed to be? That would be a big problem for us.
- I agree on the relationship between housing and I-zones. I would like more information and knowledge about E-2 (what biz types are included? Can housing be included?) Requirements for setbacks for I-2 and I-3 from housing? One approach could be increasing the setbacks: 20 ft seems really close. Increase it, through research on appropriate distances.
- Livability Lane is a consortium that addresses local health issues. Recent changes in state law impact the issues.
- LCPH is concerned about public health implications from certain industrial or commercial sources. Encourage policies that reduce or prevent that risk.
- I support the suggestion to increase setbacks. There are also impacts from trucks and traffic – even with a 100 foot setback. Even with large setbacks, air pollution is still an issue with some industries.
- I want to protect people, the public health of Eugene and Springfield folks. Prioritize public health all throughout Eugene.
- I share those same concerns ... several Community Supported Shelter sites are right along the railroad.
- Community Supported Shelters has a super long wait list, people sleeping outside. Rezoning starts to affect where people are sleeping unsheltered. Any time we're thinking about policies and guidelines changing... increase in citations, which makes it hard for people to move forward. It impacts people with no voice.
- Sins of the past still exist. Need to try and improve those situations. Trying to build or develop in this community is not easy... adding more overlays, plus the seven regulatory agencies: it's hard already. We don't need to make it easier, but let's make sure what we do is effective, not already covered by some rules and regulations. If there are policies/procedures that aren't working, let's get those out of the way.
- Please implement a buffer of 1000 ft or .25 miles, as proposed by Beyond Toxics. The National Cancer Alliance has been doing a study about the area, hot spots of cancer around the area. I experienced health impacts when I was living in Trainsong: people are less healthy in that region. There was a spill near the tracks in Bethel (near CSS Empire Sleep Spot) – hard to figure out what the health impacts are. There are many examples of buffer zones (bill in California with 1,000 ft. buffer zone). A wastewater lagoon near the recycling facility in Bethel is, smoldering (at the Hwy 99 bridge). You can smell the adhesives factory a mile away. Concerned about analysis paralysis...in the meantime, people are impacted.
- I don't feel like there is a lot of new industrial development happening in Eugene.
- Port of Coos Bay expansion, coming to Eugene soon.

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- Interested in learning more about the cancer research.
- City got a grant to clean up the dioxin in Trainsong Park. Environmental justice community – Justice40 from EPA. Hasn't happened yet. Still dioxin in Trainsong Park.
- What is the coordination between all these different planning groups?! Baxter as an example. Needs to happen more in government agencies.
- Trainsong is an environmental justice community and is already overburdened and surrounded. We need more policies to mitigate the long-term effects in communities like Trainsong, not in South Eugene.
- I live and work in South Eugene. I do care, believe that we should work as a community. The entire community is impacted by pollution. We have a lot of regulations, and I agree they shouldn't overlap. We need to bring into place regulations for the future, better future for the entire city.
- We are working collaboratively with Healthy Lane: we recently finished up the Community Health Assessment and are starting the Community Health Improvement planning process. I can share about the survey link.
- As you receive the feedback, are you assuring its representative of the whole community? Want it to be all voices heard.
- How about a door knocker, sharing the survey link door to door? RRSC neighborhood associations?
- Spanish translation for Trainsong in particular. Surveys on buses, at bus stations.
- Collaborate with PWE to focus on infrastructure projects in areas that have environmental justice concerns.
- Take into consideration disparate impacts when doing planning (as is the case with Cleaner Air Oregon).

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Appendix B. Interview Notes

Interview with Beyond Toxics and Active Bethel Community, January 21

Three members of Active Bethel Community (ABC) and six staff from Beyond Toxics (BT) met with City staff to learn and provide perspectives on the project. The City had offered separate interviews with ABC and BT, but the groups chose to combine the meetings into one event. After a brief presentation by staff, participants asked the following questions:

- For unannexed properties, would regulations have to be adopted by the County separately?
- Could the City consider a local Environmental Assessment?
- No one seems to be regulating noise.
- How about regulating vibrations and lighting?
- Can we impact future zoning regarding industrial areas near residential? Can we manage future zoning through the comprehensive plan? How would a public health chapter in the new comprehensive plan change outcomes?
- Regarding the LUCS process, does it include preliminary questions that help public agencies understand impacts?
- Have you looked at regulatory measures implemented by other areas, such as Olympia and New Jersey? How about using the Clear Lake overlay as a base?
- How does it work if an existing industrial site is redeveloped for a new industrial use? Existing regulations vs. new options?
- If the Baxter site was redeveloped, would new regulations apply?
- Regarding the Comprehensive Plan Public Health Chapter, we could use the compatibility form that is turned into DEQ (with sub-heads/details). If Eugene changed the LUCS process, it would help other jurisdictions to do the same.
- How would a distribution center be classified? Example rail containers from Coos Bay, transferred from rail to trucks. Where would that be addressed in the land use code? (from conversation below).

Next, participants were asked about their key priorities and outcomes:

- No new industrial businesses near residential areas. Prioritize health over development of vacant land.
- Create a buffer zone between residential and industrial development.
- Develop the right criteria to judge projects; build “oompf” into regulations. Specifically, strengthen traffic analysis, health criteria, buffer zone, and hazardous materials. USD fuels application revealed the problem.
- Protect human health from chemical trespass. How do you translate “maybe risky” from allowed uses table and hone in on the specifics? There is so much variance in use, it is difficult to regulate. I want to see buffers and bans.
- We need to ban USD biofuels from the table. Tank farms – banned. Banned within a large buffer. Example: potential explosion would define the area. Prioritize health and risk reduction.
- Identify areas where these industrial uses can go. Where these businesses could or should be located.

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- I want to see the end of proliferation of new gas stations in main thoroughfares. We just got 3 stations where they used to be one. Gas stations are dangerous and ownership changes right and left. Another thing, right downtown, trains loaded with tanker cars with fracked gas, an explosion would take out half of downtown.
- Look back at permits that created a public health problem, and learn from the past. Consider “upzoning” commercial land.
- How would a distribution center be classified? Example rail containers from Coos Bay, transferred from rail to trucks. Where would that be addressed in the land use code?
- Collaborate with the Sustainability Commission on their research project on polluters. Consider bonding for gas stations to reduce risk.
- Collaborate with other public health experts and agencies: OHA, DEQ, EPA, LRAPA

Perspectives from the Local Business Community, March 20

Eleven representatives of local businesses located in Eugene met with the City of Eugene staff to learn and provide perspectives on the project. Wood products, petroleum marketing, landscape products, construction equipment manufacturing and supply, renewable energy, business and economic development advocacy, warehouse storage, and resource management organizations were represented in this conversation.

- The City of Eugene project information does not provide a clear problem statement to craft a solution. How can you propose a solution if you don’t state the problem? “Resident concerns” is vague and feeling-based.
- Proposing changes to the land use system is a major blow to local business development and growth. Potential businesses will choose other locations, and local businesses will not expand. This impacts jobs, the economy, and the bottom line of our community.
- For industrial development and expansion, the current regulatory framework is comprehensive, complex, and provides robust protections for public health. Local land use changes will not provide public benefits, and the economic costs are really high.
- Industrial land for new or expanding development is in short supply, and these proposals will further constrain the environment. Additional hurdles on top of a constrained environment will have significant unintended consequences: loss of jobs, lower production, and lower standard of living.
- This project began with the Baxter issue, but the proposed solution would not have solved that problem, and it won’t solve future problems.
- The permit process is already long and costly. Changes that may increase the time and cost are another hurdle and burden for new or expanding businesses.
- Buffers will make existing industries unable to expand due to non-conformance and limited right of way. Yet these businesses developed before the residential areas.
- The future opportunity cost of this project is very high: you are signaling instability and lack of assurance. Businesses stop investing and leave.

Key questions posed:

- What is the problem statement?
- What is the current timeline of the decision process?
- What are the specifics of the proposal?

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- What are the resident concerns that are being expressed and will the survey ask that question?
- What is the background of the Baxter situation and how does it relate to this project?

Perspectives from the Local Business Community, March 31

A large manufacturer in West Eugene met with staff, asked questions, and provided the following insights:

- They currently comply with multiple regulatory agencies and will share information with staff about their process.
- What will be considered “an expansion?” This is an important concern and question.
- What regulations will be triggered by proximity to residential? This could have a major impact and is a concern. The business has been in operation well before any of the nearby residential lots were developed.
- Residential impact to the business continues to grow with recent urban expansion, including trespass. What are the City’s plans for more residential expansion in West Eugene and how will that impact existing businesses?

Perspectives from the Local Business Community, April 3

The President of a large manufacturer with over 150 locations across 10 states, including over 250 employees in Eugene, met with staff to discuss the PHS project. The business employs four environmental managers tasked with ensuring compliance with all federal, state, and local regulations and has extensive experience working in the regulatory environment. The conversation focused on discussing challenges that the business has faced with projects in communities that have uncertain regulations. They shared some specific examples of other jurisdictions where they would never build again due to unduly burdensome regulations and questioned whether additional land use regulations would be able to solve a problem related to other businesses that violate their permits. They were supportive of the concept of better coordination and agreed that it makes sense to require all regulatory permits for new or expanded industrial developments prior to receiving a Certificate of Occupancy.

Perspectives from Local Regulatory and Public Health Agencies

City staff met with Lane County Environmental Health, Oregon Health Authority, Oregon Department of Environmental Quality, and Lane Regional Air Protection Agency to discuss the project scope, understand agency roles, and explore opportunities for closer coordination. Participants shared the following insights:

Lane County Environmental Health and Oregon Health Authority, February 18

- Oregon Health Authority funds 170+ community organizations across the state and contracts with Tribes to support work in climate and environmental health protection. They have worked on health impact assessments in the past.
- Lane County is currently updating their community health assessment and community improvement plan – which considers the built environment, land use, housing, and transportation.
- Lane County sits on an LRAPA community advisory committee and wants to strengthen relationships with city permitting processes. They could be a good partner for

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identifying/inviting their permitted entities with information. They could identify some that may be willing to participate.

- Local Community Care Organizations convene a community advisory committee (of 51% OHP recipients) to inform the community health improvement plan. That group has identified transportation as a priority. Members could be interested in a forum/focus group.

Lane Regional Air Protection Agency (LRAPA), December 20, 2024

- LRAPA's role is to implement the Clean Air Act in Lane County, looking at woodstoves and industrial uses primarily
- Public hearings are on a case-by-case basis, public can request a public hearing during public comment period
- Encourage pre-application meetings before applicant submits – fees, timelines, any anticipated challenges. Could be a point of collaboration on a pre-clearance letter.
- Application packet requires a land use compatibility statement (LUCS) from the relevant jurisdiction. Outside of Lane County, DEQ also requires LUCS.
- Same process whether it is a brand new, modification/significant change, or renewal application
- LUCS are only for a brand new facility or a change to the industrial classification; will occasionally require for an existing facility (Seneca sawmill expansion).
- LRAPA doesn't typically require a permit for a process change (such as changing fuels) - mostly based on whether the SIC code would change.
- SIC codes are based on categories of uses/industry types rather than by impact – corollary to the industrial classification codes.
- Air permit is a tool for compliance – contains conditions demonstrating compliance with applicable regulations (emission limits, monitoring, source testing, record keeping, and reporting).
- Air permit options range in approval time from 1 month to 18+ months depending on their complexity.
- Cleaner Air Oregon Program
 - Air Toxics program within DEQ – administered locally by LRAPA
 - Created to close gaps in our regulatory air permitting system
 - Applies to all new Simple or higher permits, working to call in existing facilities into the program over time – 70 in Lane County
 - Report air toxics, assess risk, and regulate to reduce risk
 - Key Elements to Health Risk (health risk assessment in Cleaner Air Oregon program)
 - Toxicity – how harmful
 - Exposure – how often and for how long
 - Risk action level could result in complicated decisions for businesses
- Cleaner Air Oregon Risk Action Levels
 - Different risk levels consider different elements of distance – air dispersion models, topography, type 1 assumes immediate adjacency, etc.
 - If you are a new source, this process is more restrictive. For existing sources we're calling in, these are more flexible.
- Site impacts not regulated by LRAPA
 - Diesel engine exhaust
 - Traffic impacts

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- Cannot eliminate all odors, but do regulate to an extent – this is a common concern
- Time of operation
- Type of industry
- Level of operational noise
- Community members distaste for industry
- Monitoring and reporting
- LUCS is a one-time process – good for lifetime of permit, until they expand/make use change
- Annual analysis for Clean Air Oregon Permit – includes if land uses around them have changed
- Simple are 10 year permit terms – commit to 1 inspection within that permit cycle; if there is a community complaint that will trigger a visit/call/inspection
- Do identify a lot of non-compliance during the annual reporting requirements
- LRAPA is statutorily limited from considering cumulative risk

Oregon Department of Environmental Quality (DEQ), April 28

- DEQ pays very close attention to land use when assessing risk as a part of the clean-up program. Put together as ‘exposure pathways’ – includes educated assumptions about land use – like future land use designations.
- Future land use is included in clean-up standards that the responsible party needs to apply. Cleaning down to ‘residential’ is cleaner than ‘occupational’ (i.e., commercial, industrial). Only two types – residential or non-residential (doesn’t get into the nuance of housing on commercial land).
- How does DEQ make those determinations? They look at permitted uses in the zoning categories. They make decisions about leaving contamination in place based on assumed future land use. They look at the vicinity – not just the subject site. Determine reasonably anticipated future land use at impaired site (RAFLUs).
- Clean up sites and leaking underground storage tank (LUST sites)
 - 183 cleanup sites (20 actively managed by DEQ)
 - 507 LUST sites (14 actively managed)
- Clean up program includes Brownfields program
- Site Closure Types
 - No Further Action (no restrictions)
 - Conditional CFA (with restrictions)
 - Requires recording a deed restriction on the property – either requiring or restricting certain land uses
 - Common restrictions – land use (residential uses), groundwater uses (no wells), vapor resistant construction required, following a contaminated median management plan
 - These should show up on a title search – not always happening
- Don’t currently have a database of where these conditional restrictions exist – there is a database of where clean-up and LUST sites are, but you have to open each project to see if there are conditions on the site.
- How does DEQ start to manage sites?
 - Not everything is on their radar...
 - LUST more strict; required to report to DEQ within 48 hours

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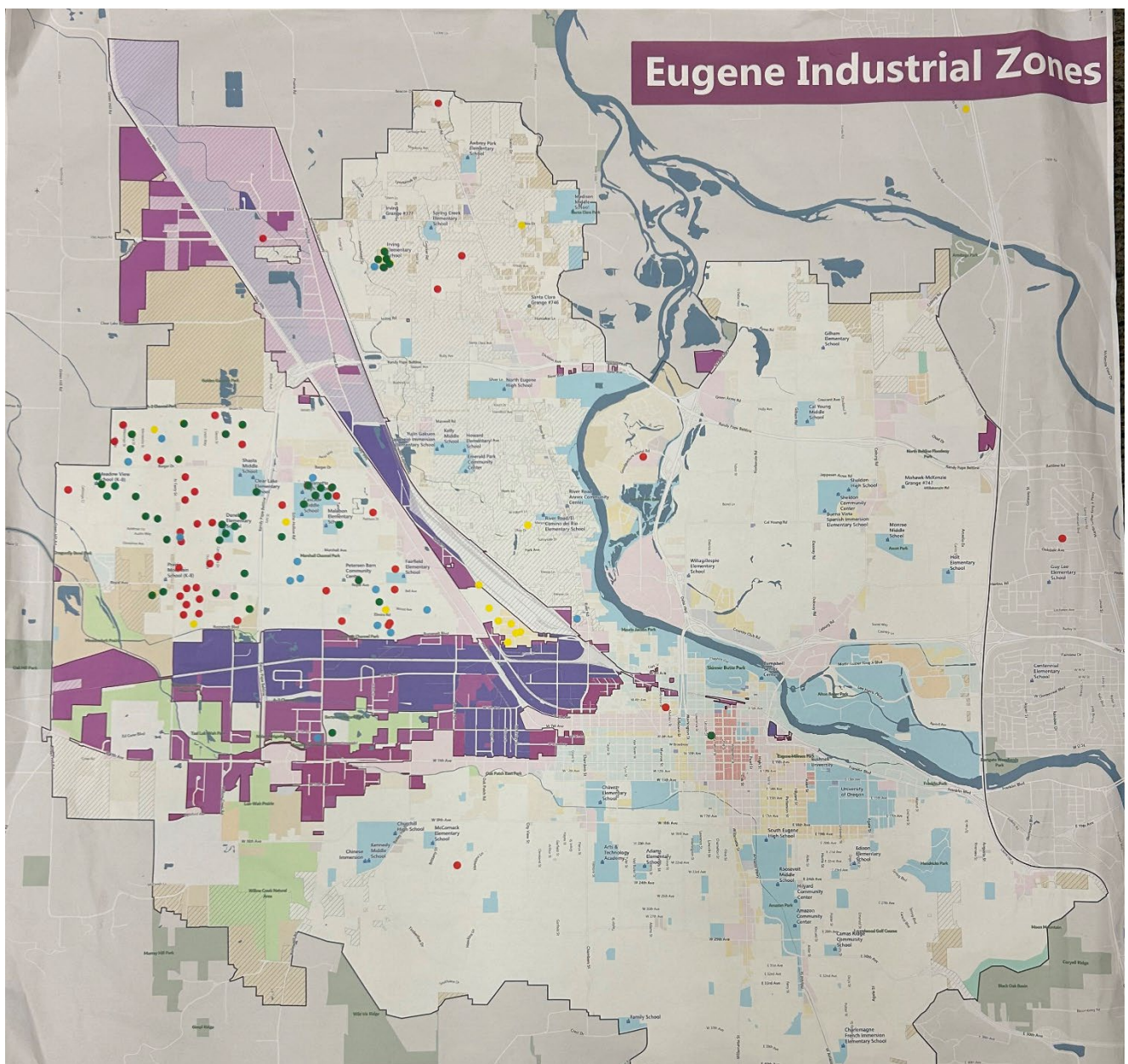
- Other sites are not required to report contamination sampling – they are if it is going into state waters or a major spill.
- Railroad reports to Oregon Emergency Response – report everything, mostly spills
- A lot of the reporting happens through banks – require a DEQ check, that’s how they find out about a lot of sites.
- Superfund Program – some preliminary assessments to find new sites.
- Some are complaint driven. Some are referred by inspectors (like a hazmat inspector)

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Appendix C. Community Outreach Event Notes

At community outreach events, the project team asked participants to put a dot where they stand in relation to the question “*How do we balance between business/economy and environmental rules?*” and the statements “*Industry is well-managed and risks are low due to lots of government regulations.*” and “*The government doesn’t do enough to manage the risks of industry.*” These statements closely reflect questions in the community survey.

The project team asked each participant to put a dot where they lived - with most participants living in the Bethel and Trainsong neighborhoods, as shown in the map below.



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Bethel School District Event, April 18 at Kalapuya Barn from 11:30 AM - 1:30 PM

The Bethel School District hosted a half-day event attended by several elementary, middle, and high school “green teams” to learn about the environment. After introductions, about 80 students visited tables hosted by public programs and non-profits and engaged in activities. After introducing the project, the team asked 32 students to map where they went to school and/or lived, weigh in on a few key questions and then share their opinion. Almost all participating students live and attend school in Bethel.



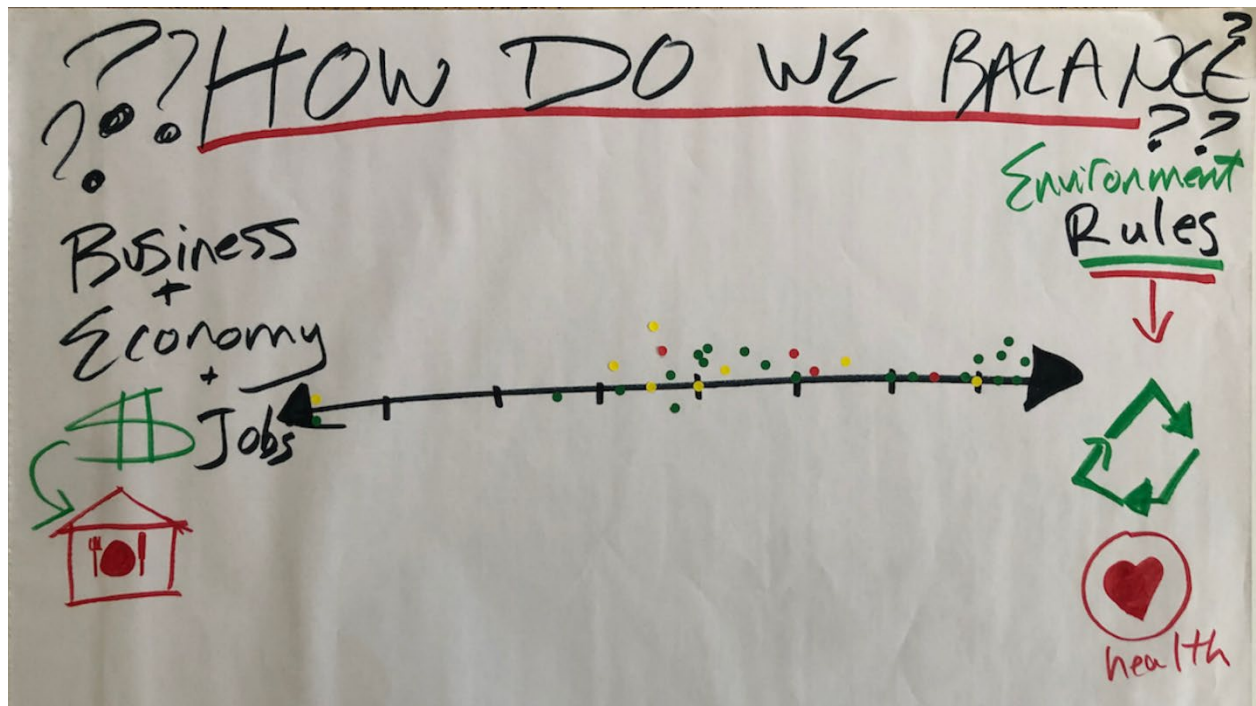
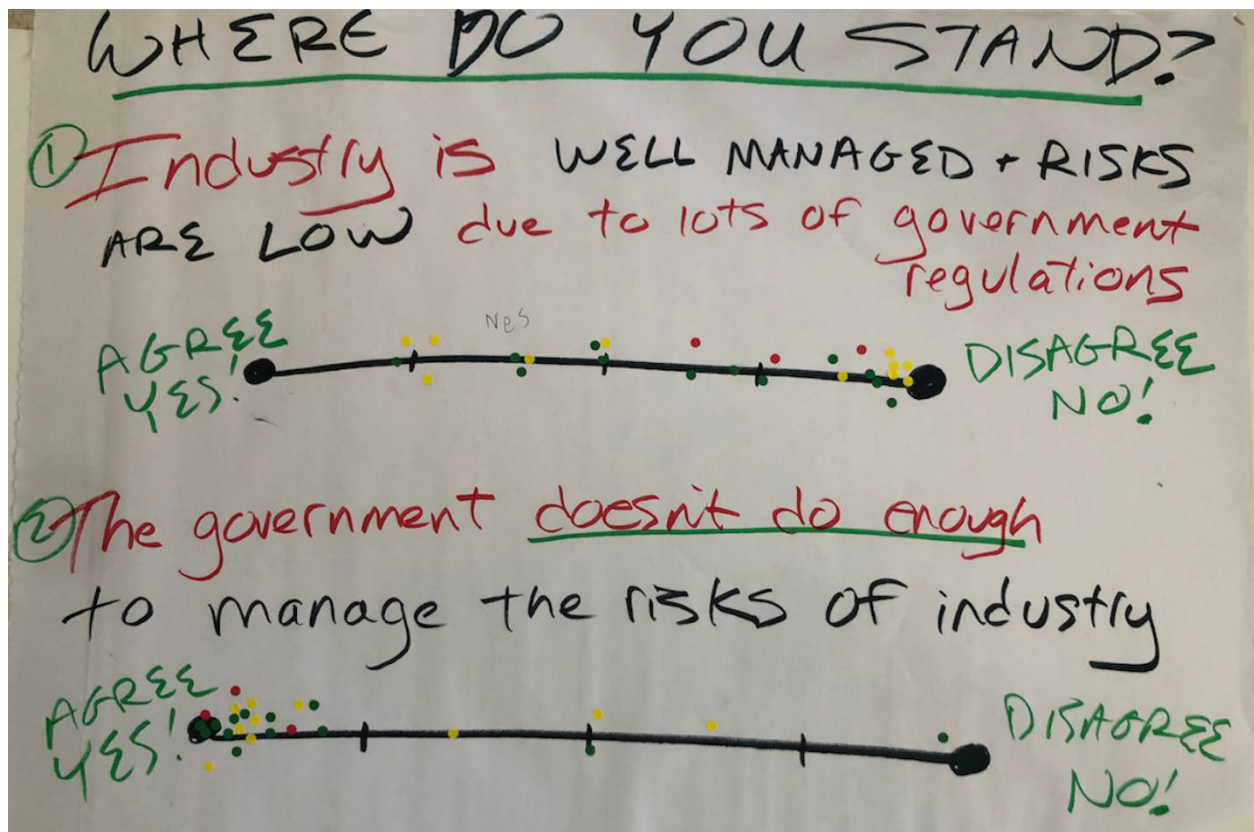
The project team emphasized that the questions below are challenging and designed to start a conversation exploring the complexity of the problem. Student comments included:

- Both ends of the spectrum bring jobs, it just depends on the quality and quantity of jobs that are created.
- Regulations increase the health of the planet, but jobs avoid depressions.
- There is a lot of complexity here; we may lose jobs to Springfield.
- Find equal balance.
- If you increase regulations, then you increase businesses that are good for the environment.
- Overall, decrease impacts to ocean, decrease dependence on oil.
- A healthy environment attracts good jobs.



The following page shows the results of dot voting when participants responded to the questions “How do we balance between business/economy and environmental rules?” and the statements “Industry is well-managed and risks are low due to lots of government regulations.” and “The government doesn’t do enough to manage the risks of industry.” These two statements above are commonly used by the U.S. Environmental Protection Agency when conducting outreach to understand the views of community members.

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Food for Lane County Pantry Outreach, May 14 at Kalapuya Barn from 9:00 – 11:00 AM

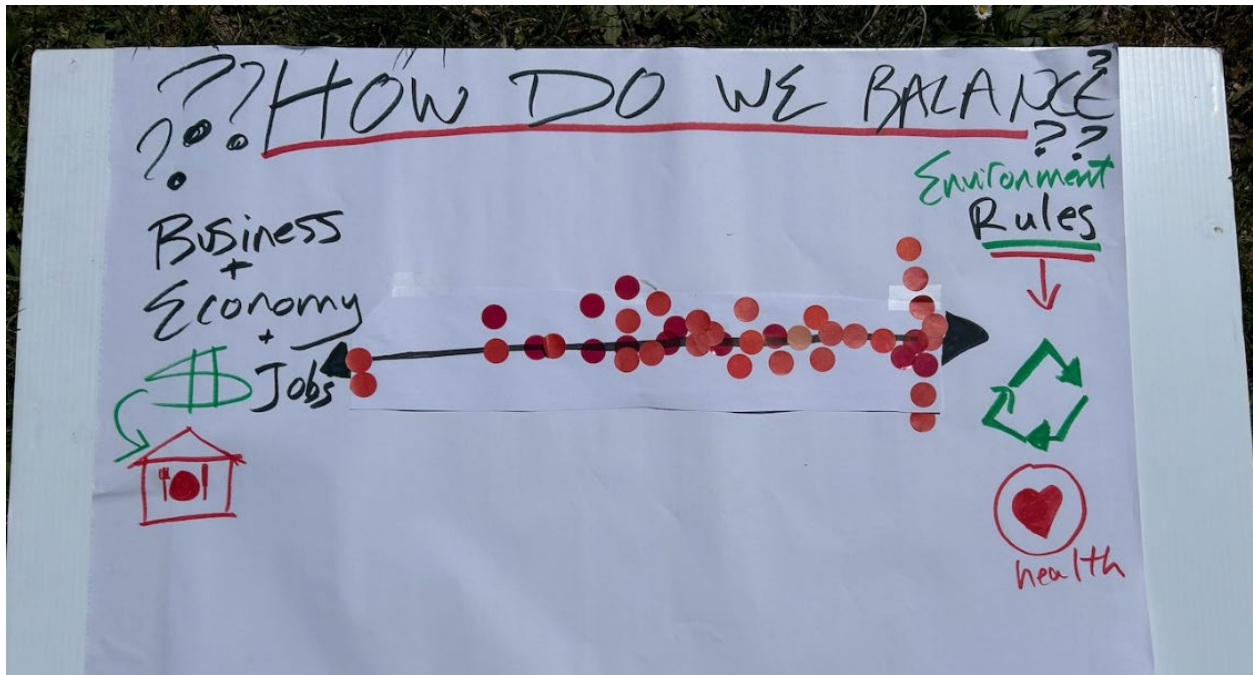
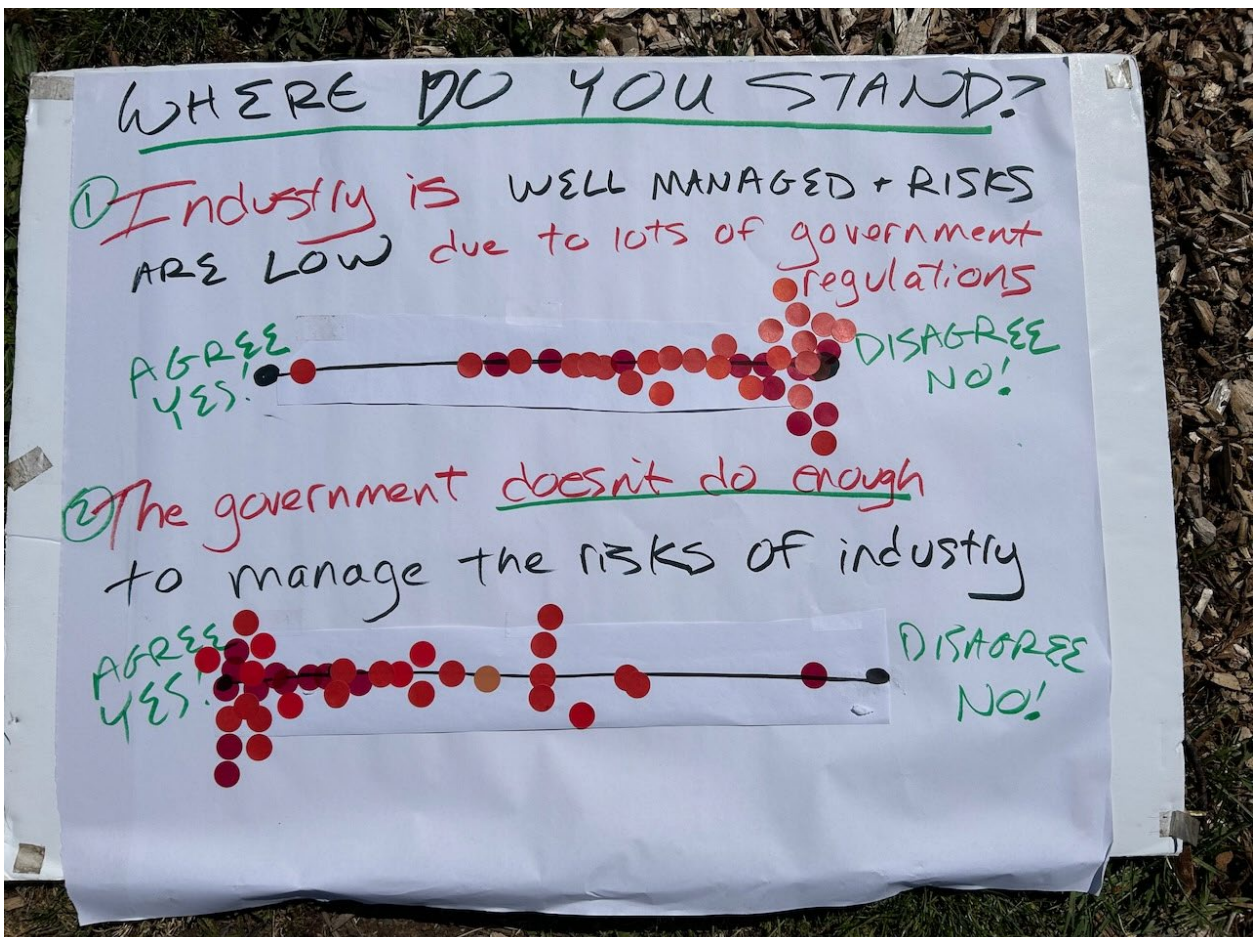
The Food for Lane County Pantry at Kalapuya Barn provides needed supplies for residents every Wednesday from 9 a.m. to noon. Approximately 40 pantry visitors stopped by to chat with the project team, offer their opinion, and leave with snacks. Almost all participants lived in Bethel and included community members with mobility challenges (4+), youth under 20 (8+), and communities of color (8+). Participant comments included the following:

- Not enough accountability in existing laws.
- I bought a house near Baxter and we didn't know about the pollution. I was pregnant with my two children while we lived there and am concerned about what will happen in the future (in terms of health impacts). My husband works in the industrial area, so I would like to find a balanced solution.
- Increasing investments do not result in more jobs, income, or improved quality of life. Wealthy people pocket the money.
- The City is selling us out in terms of too many houses and they waste money.
- There is no follow up on existing regulations.

Like the Bethel school event, the project team asked participants to respond to the question *“How do we balance between business/economy and environmental rules?”* and the statements *“Industry is well-managed and risks are low due to lots of government regulations.”* and *“The government doesn't do enough to manage the risks of industry.”* These two statements above are commonly used by the U.S. Environmental Protection Agency when conducting outreach to understand the views of community members. The results are on the following page.



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Trainsong Park Outreach, May 17 from 12:30-2:30 PM

The project team connected with 8 Trainsong residents, including 4 active members of the Neighborhood Association. The team provided a brief overview of the project, listened to concerns, and followed up on questions about Trainsong Park that residents asked at the community meeting a few days earlier. A synopsis of questions and comments follows:

- Homelessness is a major concern; a neighbor is supportive of additional housing and less industrial development because it would help with the housing problems.
- A neighbor living across from the park shared his greatest concern related to activities related to the trainyards: people crawling under his fence in the middle of the night, noise from the trains, and people yelling. He wishes he could eat the fruit from the trees in his yard, but has been told not to.
- Trainsong Park was a major focus for questions. After sharing a current update about the park (EPA grant-funded improvements are starting up: site assessment will begin once a contractor is hired, planning and design will occur by the end of this year, and remediation construction is planned for Spring 2026.)
 - We look forward to updates and input on the park as the renovation plans develop.
 - Originally the park was all fenced off, and now only parts of it are. What information helped staff to decide where to put the current fencing?
 - The fencing in some areas is damaged, could it be repaired?
 - How dangerous is the fenced area? Do you need to wash your basketball if it goes in there?
 - What is the maintenance schedule for the park, specifically for mowing?
 - EPA testing happened before the grant was developed, but the neighborhood hasn't seen the results. The testing results would be helpful to residents.
- A follow-up interview with two Trainsong residents on 5/20 provided the following input:
 - There is deep skepticism and lack of trust in relation to the City of Eugene. Many emails have been sent but have not been responded to.
 - The online survey is exclusionary due to login requirements. The income question is targeting people who are poor.
 - Trainsong is one of the oldest neighborhoods in Eugene, yet treated very badly. Residents are trying to take action because the City doesn't do anything. Only a few residents received information about the fueling station.
 - Residents appreciate that housing is affordable in Trainsong and are concerned that neighborhood improvements might make it less affordable.
 - *"Maybe if folks knew about what was happening in their community, they would initiate some changes. We don't want to be priced out of our neighborhoods - We just don't want to die"*
 - There need to be better ways to inform the public to give them the opportunity to advocate for themselves. Door knockers? Partnering with other organizations? More transparent process? Perhaps door knockers?
 - Having a liaison to talk to community members is something that should be done in gathering community feedback.

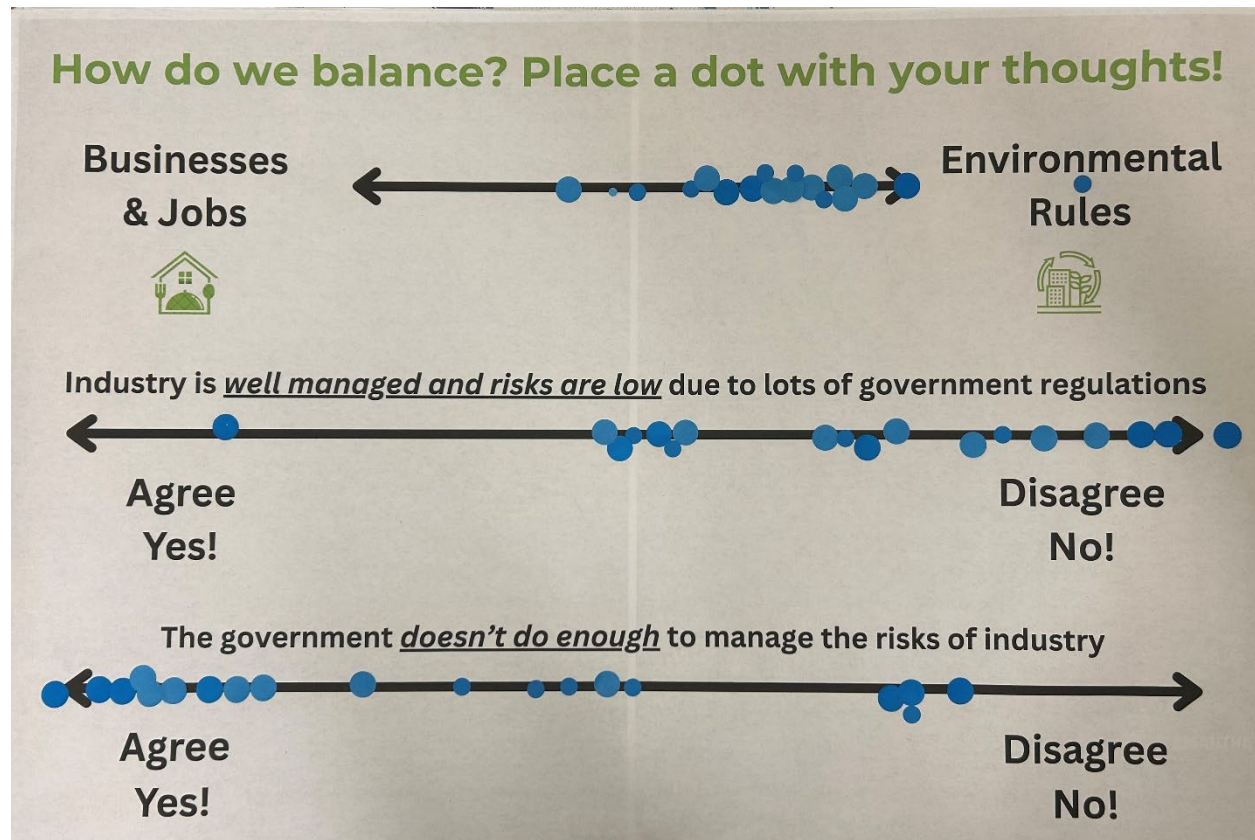
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We Are Bethel Event, May 31 from 12:00 - 4:00 PM, Petersen Barn

The project team connected with 19 individuals at the neighborhood event, primarily residents of the Bethel neighborhood, as well as several from River Road – Santa Clara. Participant comments included the following:

- Both sides need help - government with more funding and industry with how to do better.
- Understanding that the City has a limited budget, which can make it challenging to enforce the policies.
- Focus on community education, we need more ways to make it easier to understand what the industry needs to do.
- Perhaps having a committee to give community members more of a voice.
- Incentivize businesses to do better/abide by rules (e.g., self-monitoring, exceeding regulatory requirements).
- The City should think about how things will move into the future past the project
- Air quality is the hardest to regulate - starting there would be a good idea.

The project team asked participants to respond to the question “*How do we balance between business/economy and environmental rules?*” and the statements “*Industry is well-managed and risks are low due to lots of government regulations.*” and “*The government doesn’t do enough to manage the risks of industry.*” These two statements above are commonly used by the U.S. Environmental Protection Agency when conducting outreach to understand the views of community members. The results are below.



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Appendix D. City Boards, Commissions, and Neighborhood Associations Meeting Notes

Bethel Neighborhood Planning, March 13, 2025 from 6:00 – 8:00 PM, Hybrid Active Bethel Neighbors Board Meeting, Asbury Church, March 19 from 7:00 – 8:30 PM

Thirteen residents from the Bethel area attended the neighborhood planning meeting, which focused on Sustainability. Many participants are members of the Active Bethel Community and are involved in neighborhood action planning. The meeting was hybrid, with an in-person gathering at Willamette High School and a virtual option on Zoom. Following a presentation by project staff and other City staff working on sustainability projects and investments, staff fielded comments and questions from participants. Staff also participated in an ABC board meeting the following week to provide a similar presentation.

Eugene Sustainability Commission, April 16 from 5:30 – 7:30 PM

The Eugene Sustainability Commission is made up of 13 residents, appointed by the City Council. The Commission works to create a healthy community now and in the future by proposing measurable solutions to pressing environmental, social, and economic concerns to the City of Eugene, its partners, and its people. Reid Verner presented to the Commission and fielded comments and questions.

The following is a list of comments and questions by commissioners:

- Would JH Baxter be able to be sited now? Don't understand why business community is concerned about this project (PHS). The project is just trying to properly site them in the right locations. Could there be exceptions if a business is going to expand to make their operations cleaner?
- If these properties are in the county and want to develop, they would have to annex, right? The allowed use table includes very broad list of uses. Warehouses – huge range of what could be included. Within one use category, there are a variety of impacts.
- I appreciate that you're being thoughtful about the task that Council has given you. I still wonder about the underlying problem statements – seem more emotional than factual. The tool to respond to it is based on the emotion. Conflating nuisance code and land use code. Resourcing of staff to enforce the nuisance code. How someone chooses to be an actor (like JH Baxter). What is your understanding of the gap?
- Important to note that assuming something is going to have an impact... purpose is to mitigate the impacts. The proof in the pudding is the enforcement. Yeah, it's going to be expensive, but people need to be safe. Assuming there will be negative impacts is a limitation on economic development in a town that desperately needs jobs and employment. I don't want to limit larger businesses, but yes I want those businesses to be clean. How do we right-size appropriate regulations for a gas storage facility and a stuffed animal facility.
- Is it accurate to say that the intent of this project is to assure that all regulatory standards have been met. Intrigued by the example of guiding and supporting small businesses in their expansion. Is that part of the goals? I'm concerned about the equity issue – who's neighborhood? Trainsong is the largest concentration of people of color in Lane County. I want to assure there is another level of review in expansion.

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- For environmental regulations... there are types of industries that have environmental impacts. Are those standards different based on what is near the property? Especially for high impact industries. Have we looked at rezoning to clean up existing issues of residential and industrial land adjacency?
- Seems like a great place for the Sustainability Commission to keep learning – having LRAPA talk about how they process things. Strong concern that we’re jumping ahead of the problem statement – jumping right to the tool. Don’t want any of our businesses to be scary – on us to work to understand and explore those unknown areas.
- Key issue is proximity. What health and safety need to be a community priority. Don’t want to look away if it’s economically beneficial. Concentration of LRAPA-monitored industries – one zip code, lower life expectancy. Don’t want to continue with concentration in some neighborhoods. Making sure the process is careful, particularly in health and safety issues.
- Appreciate that Eugene is not just doing businesses and usual. Health impacts disproportionately impact people with fewer resources. Appreciate that we can give our input where we can, interested in changing things for the future.
- I am on the Sustainability Commission to take a longer view – get into the decades timeframe, impacts of the choices we’re making now. Long term implications for economic development - concentrated development corridors lead to more jobs, more pollution. Not uncommon in Eugene and elsewhere. Particularly valuable that we have the chance to take this comprehensive planning approach to think about long-term impacts of the choices we’re making now. Siting polluting sources near residential areas has impacts in the 10-years, 50-years, 100-years.

Eugene Neighborhood Leaders Conference, City Hall, April 26 from 9:00 – 10:30 AM

Eugene’s Office of Equity and Community Engagement hosted an all-day Neighborhood Conference, gathering leaders from each Neighborhood Association. Project staff presented on Public Health Standards and fielded questions from participants. 46 participants had broad ranging questions and comments about long-range planning, so only comments related to public health are included below.

The following is a list of comments and questions by neighborhood conference attendees:

- Will this keep the fuel tank farm out of a neighborhood?
- What about unannexed properties? These properties are part of the problem. Are there any thoughts about annexing these properties?
- Public/private partnerships to subsidize compact development - how does compact development, housing, and public health intersect? How do we ensure these homes are not put into harm’s way.
- Trains coming through town - we did have control over the trains back in 2014 - we got them to honk at every crossing.
- Been in touch with LRAPA for a while - female rehab facility - diesel fuel generator not regulated by LRAPA near the rehab facility.
- Who handles indoor air quality?
- Have we done anything to change indoor air quality as a result of the pandemic?

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Active Bethel Community and Trainsong Neighbors Community Meeting, May 15 at Lions of Judah Christian Center in Trainsong from 6-7:30 PM

Organized by Beyond Toxics and the Active Bethel Community Organization (ABC), the meeting opened with a brief introduction by Beyond Toxics staff, followed by a presentation by City staff. Seventeen participants included 9 Trainsong residents and board members, four ABC members, and four Beyond Toxics staff. Discussion included the following comments and questions:

- What areas will be impacted?
- How is land use different from zoning?
- Why are some City processes quick and others slow?
- Concerns about public process include: webpage and survey are difficult to understand and not user-friendly, communications to residents are not broad enough
- The neighborhood generates significant tax revenue through businesses located in Trainsong, but it does not receive services for residents, especially support to mitigate the negative impacts of industrial uses. Residents are bearing the environmental burden for benefits enjoyed by other areas of Eugene. This is not fair.
- Other significant environmental concerns in our neighborhood are the impacts from the railyard and the lack of progress on cleaning up the toxins in Trainsong Park.
- DEQ should increase monitoring and fees for polluting, and the City should do brownfields remediation.
- *“Trainsong is an example of how zoning and land use has NOT worked in our community. You’ve got to help us!”*
- The City talked about how there is a lack of technical knowledge regarding future land uses and toxins. Are there concerns about moving forward without this knowledge?
- Why was the Clear Lake Overlay created?
- Why are we expanding industrial areas when we have plenty already in the City? The focus should be on cleaning up existing problems.
- *“Is this happening in Trainsong neighborhood because we have the fewest number of residents and are the lowest-income area in Eugene?”*
- Is anyone at the City recruiting new businesses that are good for the environment? Could we focus more on that?
- Maybe the City should build a hospital in Trainsong so that we have a place to go when we get sick.

Beyond Toxics presented key priorities for moving forward. They recommended using the Clear Lake Overlay Zone as a foundation for the following future land use updates:

- Ban the most toxic land uses.
- Set reasonable buffers between sensitive uses, like housing, schools, and parks, and industrial processes of concern to public health, like chemical production.
- Require permits from partner agencies like LRAPA and DEQ before issuing permits.
- Require public hearings for new and expanded industrial uses near homes, parks, and schools and add public health concerns as a reason the Planning Commission and City Staff can deny permits.
- No facilities with external air emissions requiring an air quality permit within ¼ mile of homes, parks, and schools.

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Appendix E. Community Survey Summary

From April 16 to May 18, 2025, **209 individuals** participated in a survey to understand opinions on possible changes. Staff worked to distribute the survey opportunity to interested and impacted communities and organizations, as well as the general public.

The survey asked participants the following questions, including several questions modeled on standard U.S. Environmental Protection Agency (EPA) surveys focused on risk perception in communities impacted by pollution.

A report including all survey responses, including open-ended comments, [is available here](#).

Community Perspectives

The first section of the survey asked participants to indicate their agreement with several statements. The response rate to this first section was nearly 100%.

Statement 1: In planning for the future, it is important to carefully weigh the future costs and benefits of adding regulations to new or expanding industrial activities.

87% of respondents agreed that it is important to carefully weigh costs and benefits of new regulations.

Statement 2: In planning for the future, it is important to consider the health of residents living in areas near new or expanding industrial activities.

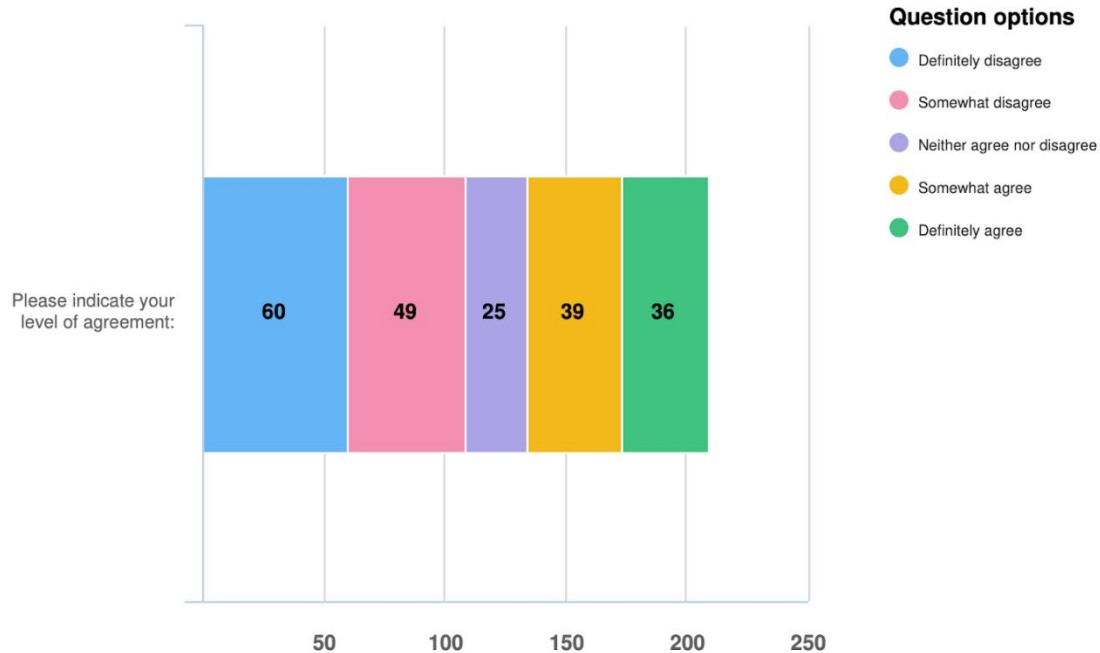
94% of all respondents agreed it is important to consider the health of residents living in areas near new or expanding industry.

Statement 3: New or expanding industrial activities located in the City are well managed and risks are low, due to extensive [federal, state, and local regulations](#).

The answers to this question provided the greatest disparity of opinion, as illustrated in the chart on the following page. 52% of respondents disagreed that industrial activities are well managed, while 36% agreed.

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Q3 New or expanding industrial activities located in the City are well managed and risks are low, due to extensive federal, st...



Optional question (209 response(s), 0 skipped)
Question type: Likert Question

Statement 4: Existing federal, state, and local regulations don't do enough to manage the risks of new or expanding industrial activities.

When asked to respond to the inverse of Statement 3, 76% of respondents agreed that existing federal, state, and local regulations don't do enough to manage the risks of new or expanding industrial activities.

Statement 5: The costs of additional regulations for new or expanding industrial activities outweigh the potential benefits because they could result in a loss of economic opportunity.

68% of respondents disagreed that the costs of additional regulations outweighed potential benefits.

Statement 6: The benefits of additional regulations for new or expanding industrial activities outweigh the potential costs because they could protect human health and neighborhood livability.

80% of respondents agreed that the benefits of additional regulations outweigh the costs because they could protect human health and neighborhood livability.

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In addition to the Likert scale questions highlighted above, the survey included two open-ended questions that provided the opportunity for respondents to provide additional information and clarify their thoughts about the project and issues related to public health generally.

Those questions included:

- **What questions or concerns do you have related to the issue of housing located near industrial areas?**
- **Are there any specific industrial uses you are concerned about (near housing)?**

A summary of responses to these questions is included Summary of Comments section below.

Land Use Changes

The next section of the survey offered a deeper dive into specific tools within the land use code that the City of Eugene could implement as a part of the Public Health Standards project. This survey considered ideas for:

- **Coordination** between Eugene’s land use regulations and other existing regulatory agencies.
- **Development Standards** for industrial development, especially when near residential or sensitive uses.

74% of survey respondents chose to complete this section of the survey.

When asked about **strategies to coordinate more closely with other regulatory agencies, respondents indicated which of the following options were important to consider:**

- **33%** of respondents supported maintenance of the current coordination process with agencies that regulate environment impacts.
- **61%** of respondents supported increased coordination and communication between the City of Eugene land use approval process and agencies that regulate environment impacts.
- **66%** of respondents supported changes to the process to require approval from agencies that regulate the environment impacts before issuing local development permits for certain new or expanded industrial development.

Respondents also had the opportunity to share other ideas or feedback on coordination with other regulatory agencies.

When asked about **updated development standards and approval criteria for new or expanded industrial development, respondents indicated which of the following options were important to consider:**

- **30%** of respondents supported maintaining existing development standards for industrial development

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- **64%** of respondents supported increased regulations when new or expanded industrial uses are near residential areas.
- **71%** of respondents supported changing the approval process by including additional criteria for new or expanded industrial uses near residential or sensitive areas (such as schools).

Respondents also had the opportunity to share other ideas or feedback on changes to development standards and approval criteria for new or expanded industrial developments.

Finally, all survey respondents had the opportunity to share other ideas or feedback for the City related to the Public Health Standards project or future work.

Summary of Comments

While each of the open-ended questions had different focuses, the comments typically addressed issues and concerns that can be grouped into three main themes:

1. Comments expressing concerns about industrial uses being located near residences.
2. Comments concerned that additional regulations will unduly burden business development.
3. Comments concerned about aspects outside of the scope of the PHS project.

The following sections will provide additional information about these themes. The full survey results that include all open-ended comments [is available here](#).

Proximity of residential uses to industrially zoned land

Survey respondent concerns regarding housing near industrial areas highlighted a range of issues related to health, safety, and environmental impacts, particularly in vulnerable communities. Many respondents expressed worries about the adverse health outcomes associated with living close to industrial areas, particularly regarding air and water pollution. Respondents pointed out that housing that is located near industrial uses is less expensive because it is less desirable, so the burden of poor health outcomes disproportionately affects those with lower incomes. Many respondents felt that industrial developments that require air quality permits should not be located within either a quarter-mile or 1,000 feet of homes, parks, or schools. Other comments focused on requiring a public hearing and/or an environmental impact analysis for new and expanded industrial uses near those sensitive areas.

Specific industrial activities, such as chemical manufacturing and fuel storage, were frequently mentioned as particularly concerning. Other industrial uses identified in the comments included: wood products manufacturing, wood preservation, cannabis processing, motor vehicle body repair and paint, gas stations, waste and recycling facilities, microplastics, and any use/activity that uses toxic chemicals or potentially emits toxins into the air, water, or soil.

The need for stricter regulations and better coordination between regulatory agencies were common themes, with calls for public health considerations to be prioritized in land use planning. There were also suggestions to require permit approval from partner regulatory agencies before approving new industrial development. Additionally, there was a strong sentiment that existing regulations are often not enforced effectively, leading to ongoing risks for nearby residents. Many

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respondents expressed concerns about changes at the federal level and some indicated that Eugene should have stronger regulations than those at the state or federal level. Many respondents advocated for increased community involvement in the decision-making processes, emphasizing the importance of transparency and public input.

Additional regulations without technical assistance will unduly burden business development

A number of respondents were concerned that adding additional regulations on industrial businesses without a clear understanding of the problem will result in an undue burden on the development community. Multiple respondents pointed out that the JH Baxter situation involved a bad actor, and asked whether the City had data supporting the concept of prohibiting certain uses or adding additional standards for industrial development. Respondents pointed to community objectives outlined in Envision Eugene related to seeking increases in wages, household incomes, and employment opportunities, and raised concerns that new regulations would work against those objectives.

Some respondents felt that no additional regulations on industrial development were needed, and that the City already strikes a balance between livability and economic growth. Others expressed concern that by only regulating industrial development, housing could continue to be sited near industrial areas without similar restrictions, as many industrial developments were sited before there was housing nearby. There were also additional questions about whether changes would result in some businesses not being allowed and what would happen to existing businesses if it was determined that their use was no longer permitted. Other respondents questioned the impact that additional regulations would have on the City's Buildable Lands Inventory.

Some respondents pointed to the City's budget deficit and questioned whether this type of project was the most appropriate use of City resources. There were concerns that if changes were made through the PHS project, the City would be duplicating services provided by other regulators. Some had the opinion that existing laws should be enforced better before adding new laws and thought that the goal should be to reduce and not add to the complexity.

Overall, there was a desire for a balance between economic development and the health and safety of residents, but that the City should bring in qualified individuals to properly study the impacts of the specific industries, before considering changes that attempt to solve a problem that is not clearly identified.

The feedback reflected a need for comprehensive assessments and careful planning to mitigate the risks posed by industrial activities in proximity to residential areas.

Issues outside of the scope of the PHS project

Many comments raised issues that are outside of the scope of the PHS project, which is focused on tools within the land use code. Those issues included, but were not limited to:

- Railroad and railroad right-of-way operations and associated impacts on neighboring properties.
- Enhanced enforcement related to businesses that violate regulations and permits, like JH Baxter.

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- The unhoused population in Eugene, and related impacts on the community and businesses.
- Concerns about noise related to large trucks, existing industrial development, and the trains.
- Better funding for the remediation of brownfield sites.
- The Eugene Code's allowance for gas stations.
- Requiring businesses to pay into emergency funds to use to clean up accidental spills and release of toxins.
- An update to the City's outdoor lighting standards.

How are industrial developments regulated in Eugene? What other agencies regulate industrial developments?

Within the City of Eugene, there are several regulatory tools and teams outside of land use, including the Fire Marshal and various sections of the Eugene Code. Additionally, there are other regulatory agencies, including Lane Regional Air Protection Agency (LRAPA) and the Department of Environmental Quality (DEQ), that regulate air, water, and land quality.

Eugene Fire Marshal

Deputy Fire Marshals work in concert with building code analysts, inspectors, and land use and public works staff to ensure project compliance with codes and standards. Deputies conduct fire plan reviews and inspections on all commercial projects, multi-unit residential developments, single-unit residential developments over 3,600 square feet, fire protection systems, and hazardous tanks/processes.

An Operational Permit issued by the Fire Marshal's Office is required when a business stores, handles, or uses any hazardous materials above the quantities listed in Section 105.6 of the [Oregon Fire Code](#).

To terminate storage, dispensing, handling or use of hazardous materials, a [Facility Closure Plan](#) must be submitted to the Fire Marshal's Office no less than 30 days prior to facility closure or removal of hazardous materials. The plan must demonstrate that hazardous materials in the facility will be transported, disposed of, or reused in a manner that eliminates the need for further maintenance and any threat to public health and safety.

The Deputy Fire Marshals also oversee Eugene's Toxics Right-to-Know Program that requires certain manufacturers to provide information to the public concerning the use and disposition of federally listed hazardous substances.

Eugene Nuisance Code

Chapter 6 of the Eugene Code (EC) covers Environment and Health. It provides a list of prohibited nuisances, some of which relate to industrial business activities, including debris, odors, failure to maintain stormwater facilities, and more.

In addition, Chapter 6 regulates some other industrial activities, including:

- Hazardous Substance Discharge and Removal (EC 6.340 – 6.380): provides authority to take action or defer to the U.S. Environmental Protection Agency (EPA) or Oregon Department of Environmental Quality (DEQ) if they have issued an enforceable order.
- Industrial Pretreatment Program (EC 6.550 – 6.584): directs the City to work with state and federal laws (including the Clean Water Act) to keep pollutants out of the wastewater system.
- Ozone Protection (EC 6.700 – 6.725): restricts the use and sale of ozone depleting products.
- Environmental Noise Disturbance (EC 6.750 – 6.755): regulates commercial and industrial noise.

Lane Regional Air Protection Agency (LRAPA)

In Lane County, the Lane Regional Air Protection Agency (LRAPA) is responsible for issuing air permits to commercial and industrial operations with emissions above a certain threshold. LRAPA's air permits have operational requirements that follow federal, state, and local regulations that are designed to minimize emissions from businesses.

There are approximately 300 commercial and industrial operations in Lane County with an [air permit issued by LRAPA](#). Here is a partial list of the types of operations LRAPA issues an air permit for:

- Asphalt, concrete plants
- Boilers
- Foundries, mills
- Coffee roasting
- Crematories
- Crushing operations
- Dry cleaners
- Emergency generators
- Fiberglass fabrication
- Gasoline stations
- Marijuana production, processing
- Metal plating
- Painting, coating
- Printing
- Solvent cleaning

LRAPA issues five types of permits, including state-required Air Contaminant Discharge Permits (ACDP) and federally required Title V Operating Permits. Air permits serve as a tool for compliance and include:

- Emission limits
- Required monitoring
- Source testing requirements
- Record keeping requirements
- Reporting obligations

Some types of permits trigger additional requirements through a new program called [Cleaner Air Oregon](#), adopted by LRAPA in 2019. The program requires industrial facilities to assess and reduce toxic air contaminants. The program applies to both new and existing businesses requiring higher level permits, and evaluates both toxicity (how harmful contaminants are) and exposure (frequency and duration of exposure) to protect public health. Businesses closer to residential properties often increase the potential health risk assessed under this program, which can result in additional permit conditions. The program was intended to close gaps in existing air quality rules, as well as to provide greater access to air toxics emissions data and increase certainty for regulated facilities in addressing community health concerns.

Oregon Department of Environmental Quality (DEQ)

The Department of Environmental Quality (DEQ) is responsible for protecting and enhancing Oregon's water, air and land quality; managing the proper disposal of solid and hazardous wastes; providing assistance in cleaning up contaminated properties; and enforcing Oregon's environmental laws. The agency director has authority to issue civil penalties for violations of pollution laws and standards.

The DEQ requires a permitting process that includes risk screening for a number of different types of development/uses, including:

- Brownfield site cleanup
- Composting facilities
- Conversion technology facilities (using processes to convert separated organic solid waste into fuels, chemical, or other useful products)
- Fuel tanks seismic stability
- Gas stations and other dispensing facilities
- Gasoline terminals and bulk tank facilities
- Gasoline tanker trucks
- Infectious waste disposal
- Marijuana processing facilities
- Material recovery facilities and transfer stations
- Mattress recycling
- Meat processing and slaughter facilities
- Nuisance odor
- Paint manufacturers
- Pesticide use
- Removal and fill certification
- Solid waste disposal sites and landfills
- Tanks storing gasoline, ethanol, diesel, biodiesel, and listed hazardous substances
- Underground injection wells
- Waste tire storage
- Water quality permitting and pretreatment requirements for industrial activities

What can the land use code do to regulate industrial developments?

Eugene's land use code regulates which uses are permitted in each zone, as well as the standards those uses must meet. New land use regulations adopted as part of this project will only apply to new and expanded development. Existing development will not be required to comply with the new industrial development standards unless and until they want to redevelop or expand. Part of the Public Health Standards project will include research into meaningful and realistic ways the land use code could further regulate industrial development. Generally, some of the tools include:

- **Permitted Uses:** Eugene could allow or disallow certain uses in industrial zones, especially those uses whose industrial activities may result in air, water, or soil pollution, or otherwise impact nearby residents.

- **Buffer, Setback, and Mitigation Requirements:** Eugene could require additional measures to mitigate the effects of industrial development on surrounding properties, including landscaping, fencing, building orientations, air intake facilities, water collection, berms, site orientation, and more.
- **Approval Processes:** Eugene could require a discretionary approval process for certain uses, such as conditional use permits or site review, requiring projects to meet additional standards or other criteria to minimize impacts.
- **Density Limitations:** Eugene could consider limiting how many instances of a certain use can be within a certain area, or how close similar facilities can be to each other. This is similar to the way that Eugene regulates marijuana dispensaries.
- **Coordination with Other Permits:** Eugene could require evidence that an applicant has been issued relevant LRAPA or DEQ permits before issuing building permits for certain industrial developments.