



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

September 13, 2017

12:00 p.m. CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

**Meeting of September 13, 2017;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Alan Zelenka, President

Emily Semple

Claire Syrett

Jennifer Yeh

Mike Clark, Vice President

Greg Evans

Chris Pryor

Betty Taylor

12:00 p.m. CITY COUNCIL WORK SESSION

Harris Hall, 125 East 8th Avenue

A. WORK SESSION:

Civilian Review Board Update

B. WORK SESSION:

Emergency Management Program Update

C. WORK SESSION:

**Purchase of Greenhill Technology Park Property for Emergency
Operations Center and Eugene Police Department Special Operations**

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: Civilian Review Board Annual Report

Meeting Date: September 13, 2017
Department: Police Auditor
www.eugene-or.gov

Agenda Item Number: A
Staff Contact: Leia Pitcher
Contact Telephone Number: 541-682-5028

ISSUE STATEMENT

The leadership of the Civilian Review Board is appearing before the City Council to discuss the 2016 Annual Report of the Civilian Review Board.

BACKGROUND

The Eugene City Council appoints members to the Civilian Review Board and is the hiring authority for the Police Auditor. On an annual basis the Civilian Review Board provides and discusses their annual report.

RELATED CITY POLICIES

Eugene Charter and Police Auditor Ordinances.

COUNCIL OPTIONS

Offer comments and questions.

CITY MANAGER'S RECOMMENDATION

Not applicable.

ATTACHMENTS

A. 2016 Civilian Review Board Annual Report.

FOR MORE INFORMATION

Staff Contact: Leia Pitcher
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Staff E-Mail: leia.k.pitcher@ci.eugene.or.us

CITY OF EUGENE

Eugene Civilian Review Board Annual Report

2016



EUGENE CIVILIAN REVIEW BOARD 2015 ANNUAL REPORT

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Introduction

Ordinance 20374 which enables 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...; and,
- (c) Evaluates the work of the auditor's office, including whether the office is functioning as intended." [ORD 20374; 2.246 (7)]

Eugene's Civilian Review Board (CRB) is designed to provide transparency and help ensure public confidence in the police complaint process. The Board evaluates the work of the independent Police Auditor, and reviews complaints to provide a community perspective about whether complaints are handled fairly and with due diligence.

This annual report contains a summary of the work that the Civilian Review Board (CRB) undertook in the year 2016. As set forth in the ordinance case reviews and assessment of the police auditor and the auditor's office should be set forth in this summary. The Auditor and his office were reviewed during the annual performance rating provided to City Council in September 2016. As in years past the bulk of this report centers around the cases reviewed by the CRB. While detailing the allegation, setting forth the issues discussed and outlining (briefly our discussions and findings) this report only touches on the work that we have put into our job.

Our meetings are open to the public and provide an opportunity to review the complaint process and hear input from members of our community. While we are committed to maintaining the confidentiality of the involved parties, discussing complaints in public allows the community to learn about the complaint intakes, classifications, investigations and determinations as they are discussed openly and critically. It also allows members of the public that have filed complaints to ask the board for review of their case at a future meeting.

In order to do our jobs full, open, and at times lively discussions have ensued. We hope that we have reflected the tenor of all parts of the community when we have these discussions. This means at times we have disagreed with findings but we have attempted, to the best of our abilities to be cordial and respectful of varying points of view. However, we must also be respectful of those who are not there whether it be the complainant or the officer of the alleged police misconduct in question. This requires a balance to the confidentiality to which we have all agreed to as a board member and the expectations of transparency in order for there to be public confidence in the system. This balance is an ongoing discussion of both procedure and performance. Our meetings are open to the public, yet rarely attended. We have very detailed minutes but some members would

prefer audio or video recordings. This balance reflects the very balance that we see in the cases we review.

Balancing the actions of an officer (performance) with the expectations of action of the officer (written policy). We believe that we have, as in years past, found a way to balance transparency with confidentiality. There was open discussion with need to respect individual personnel matters.

To this end the office of police auditor and his staff were integral in examining the issues at hand and in setting our procedures and the cases each month. As you will see in the case summaries and reviews set forth in this report we the CRB could not do our job as well as we do if it were not for the excellent work by Internal Affairs and the Police Auditor's office. We thank you for allowing us the opportunity to serve on the board.

This year we continued to see the benefits of the Blue Team software program which allows for tracking of uses of force allowing both EPD and OPA the chance to know quickly when a use of force has been used and can be reviewed without delay or the need for a citizen complaint. This does require that the Auditor and Deputy Auditor have to review approximately 180-200 more incidents in addition to the complaints received.

In addition to service complaints and case reviews, the CRB engages in continuous learning associated with police practices, civil rights, constitutional based policing practices, and interactions with vulnerable communities. Just as each case brings forth a new issue so too does the continuing learning by board members of community services that impact the job of the EPD. The efforts in continuous learning prove 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 policies and practices and whether or not revisions seem appropriate. These policy recommendations are sent to the Police Commission and the Police Chief through the CRB's appointed representative to the Police Commission.

We appreciate the support the City Council, Mayor, Office of Police Auditor, The Eugene Police Department, and many service organizations that have presented to us over the past year. The members of the Board are proud to participate in process that continues to evolve and allows the community to glimpse into the "whys" of police work and the officers present are able to hear comments from community members in a thoughtful, and we hope, helpful forum.

Sincerely,

Eric Van Houten
2016 Board Chair

Chris Wig
2016 Board Vice-Chair

Civilian Review Board Members

Steven McIntire is Vice President of Administration and General Counsel for SELCO Community Credit Union. He earned his B.S. in business from Linfield College and his law degree from the University of Oregon. He has served on numerous community boards; Oregon Eye Clinic Independent Review Board, Oregon State Board of Bar Examiners, and CASA among others.

Bernadette Conover (resigned from the CRB in 2016) 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.

Maurice A (Maurie) Denner lives in south Eugene and is a retired elementary principal. He has a BA in English and an MA in Education from the University of Oregon. Maurie is a graduate of the Eugene Citizen's Police Academy, served on the Chief's Forum under Chief Cooke; and he was an original appointee to the Police Commission. Maurie's interest in law enforcement grew out of work in Oakridge that established a Police in the Schools cooperative arrangement. Maurie retired from 4J in 2004, and worked part time for Looking Glass Youth and Family Services until February, 2014.

Lindsey Foltz (resigned from the CRB in November 2016) is a Eugene native, returned after living in Central Oregon and serving as a Peace Corps Volunteer in Bulgaria. She holds a M.A. from the University of Oregon in International Studies. She has spent 3 years as the Equity and Human Rights Analyst for the City of Eugene, before resigning to spend time with family and dedicate more time to volunteer endeavors such as her community garden and serving on the Civilian Review Board.

Heather Marek has lived in Eugene since 2007. She is a concurrent doctoral and law student at the University of Oregon, where her research has focused on human rights issues in the criminal justice system. Before returning to graduate school, Heather worked for nonprofits advocating for civil liberties and democracy reform. Heather received a BA in criminology from the University of Montana. Heather plans to use her background in social science and law to conduct rigorous public interest research.

Eric Van Houten has a Masters in Social Work and is a senior level health care administrator. His background includes working with individuals with a myriad of issues including drug and alcohol abuse and addiction, mental health issues, violence, and homelessness. Eric was raised in Eugene, OR and returned to the community in 1993. Eric's background includes a 3 year stint with the Peace Corps as a volunteer in Senegal, West Africa. He is married with two children.

Chris Wig, CRB Vice Chair, serves as Chair of the Democratic Party of Lane County and works as the Program Director for the Drug Court Program at Emergence Addiction and Behavioral Therapies. Chris earned his MS in journalism from the University of Oregon and his BA in cultural anthropology from the University of Toronto. He serves the Eugene community as an advocate for housing affordability, alcohol and drug treatment, and police-community relations. Chris also serves as a member of the Grupo Latino de Accion Directa Executive Board, Intergovernmental Housing Policy Board Renter Protection Workgroup and Democratic Party of Oregon Executive Committee.

Rick Roseta has practiced as a trial lawyer in Eugene for over 40 years. Most of his practice has included the defense of 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.

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.

2016 Overview

The CRB is required to meet four times a year. The CRB met eleven times in 2016, all public meetings.

The Board (with the help of the Office of the Police Auditor) identified policy concerns and communicated such to the Police Commission and the Eugene Police Department. In 2016 our representative to the Police Commission, Steven McIntire, worked vigorously in providing policy recommendations to the Police Commission. Heather Marek was our representative to the Human Rights Commission, providing valuable insight to the CRB on some of the concerns expressed by the Human Rights Commission related to policing issues.

Training

The CRB members were polled to determine what training they wished to receive in 2016.

The CRB was involved in seven training sessions and held a joint meeting with the Police Commission:

Training topics:

- Update on Crisis Intervention Training (CIT)
- Use of Force Software Tracking Program Named Blue Team
- Use of Force Scenario Training
- EPD Recruitment and Hiring Process
- Public Records and Public Meetings Laws
- Community Engagement Strategy
- Implicit Bias Training

We have an engaged and thoughtful civilian review board that invests considerable personal time to participate in and evaluate the police oversight processes in Eugene. They are the community's representatives who analyze the internal administrative personnel processes of EPD and the external monitoring and complaint intake processes of the Auditor's office. The CRB continually strives to have open and transparent discussion of cases brought before it, and also provide policy and training recommendations within the

confines of the Oregon Public Records Laws and the hundreds of exemptions that exist in Oregon Public Record law. The CRB consistently meets more than the minimum requirements of the ordinance. At most meetings, the entire board is present. The CRB must evaluate difficult personnel and policy issues that impact community members and sworn police personnel. They have been complimentary, critical, inquisitive and decisive. It is an honor and privilege to serve the community of Eugene. In 2015 Eugene's system of civilian oversight continued to evolve and develop. We look forward to continuing our work and we are committed to improving our processes in service of the community.

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, 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 Lieutenant who supervises Internal Affairs 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 complaint handling through the following steps:

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.

Civilian Review Board Case Summaries 2016

A. January Case Review –

Summary: The Reporting Party (RP) contacted the Auditor's Office about an incident in which she was arrested for giving false information to an officer and then later a charge of interfering with an officer was added. RP had pulled her van over because of a flat tire and officers showed up and demanded her name. RP did not think she had to give her name because she did not think she did anything wrong. While being arrested RP alleges that excessive force was used. RP also alleged officers refused to give their names. The Lane County District Attorney's Office reviewed the case and stated that Reporting Party's provision of false information to Officer A was a violation of ORS 807.620 and gave Officer A probable cause to arrest the Reporting Party.

Allegations:

1. **Constitutional Rights** – That Officer A and Supervisor B violated Reporting Party's constitutional rights by arresting her without probable cause.

(The Auditor's Office did not find sufficient evidence during the preliminary investigation to bring forward the Reporting Party's allegation of excessive force based on the review of the In Car Video [ICV].)

Recommended Adjudications:

1. **Constitutional Rights – Supervisor B**

- Supervisor: Within Policy
- Police Auditor: Within Policy
- Chief: Within Policy

2. **Constitutional Rights – Officer A**

- Supervisor: Within Policy
- Police Auditor: Within Policy
- Chief: Within Policy

Issues for the CRB

The Board found many issues with the stop and 4 members disagreed with the adjudication of the allegation as "Within Policy." Members felt the Supervisor that arrived escalated the situation in which officers should have been helping a distressed citizen instead an arrest for providing a false name. Members also expressed concern about officers muting their microphones, the process used to have the DA review this particular incident, and the overall tone of the customer service.

B. February Case Review –

Summary: The Auditor's office received an anonymous complaint that the temporary evidence lockers were not being properly audited. The complaint was initially classified as an Inquiry while a preliminary investigation took place. The preliminary investigation showed that there was an audit of the lockers in October 2014 and that no other audit took place until June 2015. The preliminary investigation also indicated that there were items in the temporary evidence lockers that had been stored for more than 5 days (in violation of policy).

- EPD policy requires that the lockers be audited quarterly.
- The complaint was reclassified to an Allegation of Misconduct.
- The policy requiring Supervisor A to perform quarterly audits of the temporary evidence lockers was effective at the beginning of 2014. In the six quarters following the enactment of the policy, Supervisor A conducted two audits.
- Some of the violations noted in the June 2015 audit were also present during the October 2014 Audit.
- Supervisor A attended a training on property and evidence handling, which included training on audits, inventories, and management of temporary evidence lockers.
- Supervisor A stated during the investigation that the October 2014 audit had resulted in an email directive to those with access to the lockers to address the violations.
- The investigation indicated that Supervisor A did not follow up to ensure the violations were resolved.

Allegations:

1. **Evidence and Property Handling** – That Supervisor A failed to manage the temporary evidence lockers, including failure to perform quarterly audits of the lockers, as directed by policy.

Recommended Adjudication:

1. **Property and Evidence Handling**
 - EPD chain of command: Sustained
 - Auditor's Office: Sustained
 - Chief's Adjudication: Sustained

Issues for the CRB:

The Board mentioned the system wide failure of the policy, as there appeared to be no accountability to ensure a policy was adhered to. Adequate training of supervisors seemed to be a problem as well as ownership of responsibility. Available resources were not used. The mishandling of property reflected on the integrity of the entire organization.

C. March Case Review –

Summary: Officer G was assigned to perform jail arraignments. When she arrived, she was notified that she was supervising thirteen inmates with varying degrees of mental health issues and violent histories. She requested a cover officer to assist. Dispatch confirmed that Officer G was the only employee at arraignments and stated they would “work on getting ... another unit.”

Four seconds after that statement from dispatch, Supervisor A denied the request, stating, “They’re going to have to make do with one.” Supervisor A did not check the status of units before denying the request, nor did he allow dispatch to attempt to find a cover unit. Jail staff were concerned for Officer G’s safety and considered cancelling arraignments. Officer G was alone at one point with 11 inmates and had to physically restrain one who was becoming disorderly. A deputy ultimately called Supervisor A to reiterate the request for a cover officer. Following the call from the deputy, Supervisor A allowed the request for cover. A cover officer was dispatched to the jail approximately 33 minutes after the request from Officer G. The Eugene Police Employees’ Association (EPEA) filed a “safety complaint” against Supervisor A.

Supervisor A stated in his interview that he denied the request for cover based on a lack of available resources. Supervisor A also described in detail the circumstances he was in when he denied the request for cover, stating that he was involved in a difficult and distracting interview with a subject in custody when he made the decision. The investigation showed that, in fact, Supervisor A was driving to that call when he denied the request. Supervisor A acknowledged during a second interview that he was not on scene interviewing the suspect when he denied the request. No employee interviewed had heard of a supervisor denying a request for cover. Supervisor A also stated that he had never before denied a request for cover.

Allegations:

1. **Employee Safety** – that Supervisor A failed to provide adequate safeguards to Officer G when she was assigned jail arraignments and after she requested additional assistance.
2. **Unsatisfactory Performance** – that Supervisor A failed to adequately assess the safety risk to Officer G when she requested assistance based on the number of inmates and their behavior.
3. **Integrity** – that Supervisor A failed to scrupulously avoid conduct which compromised his integrity, and that of the department, when he gave inaccurate statements in his IA interview regarding the circumstances surrounding his refusal of the request for cover.

C. March Case Reviews cont'd...

Recommended Adjudication:

1. Employee Safety

- EPD chain of command: Sustained
- Auditor's Office: Sustained
- Chief's Adjudication: Sustained

2. Unsatisfactory Performance

- EPD chain of command: Sustained
- Auditor's Office: Sustained
- Chief's Adjudication: Sustained

3. Integrity

- EPD chain of command: Insufficient Evidence
- Auditor's Office: Insufficient Evidence
- Chief's Adjudication: Insufficient Evidence

Issues for the CRB: The Board determined the investigation was thorough and well done. Concern was raised over the danger the officer was placed in by the Supervisor not providing the backup needed. Many of the board members felt that the integrity allegation should also have been sustained, even though the issue of intent was difficult to prove.

D. April Case Review –

Summary: Officer A located a stolen vehicle and notified dispatch. The vehicle then made an illegal left turn across traffic. Officer A followed the vehicle and narrowly avoided colliding with a truck; Officer A allowed two vehicles to clear the intersection and then activated his emergency lights and sirens. Officer A pursued the vehicle and notified dispatch he was in pursuit. Sergeant B ordered him to terminate the pursuit. Officer A turned off his emergency equipment and slowed down, but he continued to follow the vehicle and disobeyed a stop sign. Officer A stated in his interview that it was not his intention to become involved in a pursuit with the vehicle and that he experienced tunnel vision during the incident. Officer A also stated in his interview that he believed he had terminated the pursuit when he turned off his emergency equipment and slowed down. He stated that he did not recall disobeying the stop sign and that he believed he had followed Sgt. B's order.

Allegations:

- 1. Vehicle Pursuit Policy** – that Officer A violated the pursuit policy because:
 - a. The reason for the stop did not meet the threshold for initiating a pursuit; and
 - b. Officer A did not drive with due regard for the safety of others when following the vehicle through an intersection.
- 2. Insubordination** – that Officer A was insubordinate when he failed to terminate the pursuit after receiving a direct order from a supervisor.

Recommended Adjudication:

- 1. Vehicle Pursuit Policy**
 - EPD chain of command: Sustained
 - Auditor's Office: Sustained (concur with EPD chain of command)
 - Chief's Adjudication: Sustained
- 2. Insubordination**
 - EPD chain of command: Unfounded
 - Auditor's Office: Unfounded (concur EPD chain of command)
 - Chief's Adjudication: Unfounded

Issues for the CRB:

Board members appreciated the excellent job done by the IA Sergeant in asking the right questions in this investigation. All members agreed with the adjudication recommendations. They were also appreciative of the tightening of the Pursuit Policy by EPD in recent years.

E. June Case Review –

Summary: Officer E stopped a motorcycle for a taillight violation. The driver did not have insurance or registration paperwork. The Records Section was unable to locate a record for the license number, and Officer E was unable to find a VIN on the vehicle. Officer A responded to the stop to assist Officer E. Officers seized the motorcycle for a VIN inspection and had it towed to the City Shops. Officer A secured it in a locked area out of the elements.

Approximately two days later, Officer A was advised by a supervisor in the Forensics Unit as well as Sergeant B that the policy had changed, and that the motorcycle should have been towed to the Evidence Control Unit (ECU). Officer A was concerned about incurring tow charges, so he attempted to contact another supervisor to get approval for the second tow. They spoke approximately two days later, and that supervisor also advised Officer A to have the motorcycle towed. Officer A stated that he intended to have the motorcycle towed to the proper facility when he returned to work following the weekend. Officer A stated that he was dispatched to a call immediately after briefing and unable to get the motorcycle towed during business hours. The following day – 10 days after the motorcycle was seized – the owner of the motorcycle called regarding its status. Sergeant B discovered at that time that the motorcycle had not yet been brought to ECU.

Also on that day, Officer A contacted retired EPD Sergeant G, who responded to the City Shops to assist Officer A. G volunteered to attempt to restore the VIN by applying a mild chemical agent. G was unsuccessful in recovering the VIN. Officer A then contacted Forensic Evidence Specialist H who processed the motorcycle at the City Shops, recovering a partial VIN. Officer A then had the motorcycle towed to ECU and made arrangements to have it stored inside, out of the elements. Sergeant B entered this matter into Blue Team for classification and follow up.

Allegations:

- 1. Vehicle Tows and Inventories** – that Officer A failed to secure the vehicle (motorcycle) at ECU, in violation of policy, instead storing it at the City Shops.
- 2. Evidence and Property Handling** – that Officer A failed to properly process evidence (a motorcycle) when he asked a retired EPD employee, rather than FEU, to attempt to recover the VIN number.

Recommended Adjudication:

- 1. Vehicle Tows and Inventories**
 - EPD chain of command: Sustained
 - Auditor's Office: Sustained
 - Chief's Adjudication: Sustained

E. June Case Reviews cont'd...

2. Evidence and Property Handling

- EPD chain of command: Unfounded
- Auditor's Office: Sustained
- Chief's Adjudication:
Originally Dismissed
Amended adjudication: Unfounded

Issues for the CRB:

The CRB members expressed concern that the policy was ambiguous, leading to many different interpretations of the policy. Training needed to be provided to ensure the chain of custody was followed. Members felt that using a non EPD forensic expert was a bad idea. Many of the board members commented that the evidence handling allegation should have been sustained, but to hold an officer responsible for violating a policy when the action was common practice at EPD was arbitrary.

F. July Case Reviews – Service Complaints

Case #1 - Summary of Facts

A principal of a school contacted an EPD supervisor and asked about an incident where two students were found to be in possession of marijuana (after July 2015). The principal stated that the responding officers did not investigate and told her to destroy the marijuana. The investigation showed that EPD policies had yet to be updated following the legalization of marijuana in July 2015. Nothing in the training addressed exceptions for marijuana found in or near schools. The complaint was then reclassified to a policy complaint, and a supervisor addressed expectations with the involved officers.

Issues for the CRB:

Members expressed disappointment that the officers did not seize the marijuana for disposal, leaving it up to the principal. They also felt that the expectation was that the students involved would typically receive Minor in Possession charges. One member felt communities were moving away from criminalizing everything and was not concerned that the minors were not cited.

Case #2 - Summary of Facts

A separate investigation included an audit of messages sent between mobile data computers (MDCs). During that review, inappropriate messages were discovered, sent between Officer A and Officer B. The complaint was originally classified as an allegation of misconduct. The specific policy violations alleged were for unbecoming conduct and misuse of the MDCs.

The complaint was initiated outside of the timeliness limits set out in ordinance (6 months for incidents of serious misconduct; 60 days for incidents of minor misconduct). The complaint was reclassified to a service complaint/conduct and sent to the employees' supervisor for follow-up.

Issues for the CRB:

Members asked if the MDC use was a common practice by officers and if so it raised the question of the effectiveness of the policy if supervisors did not monitor the system for policy violations.

Case #3 - Summary of Facts

Reporting party called to complain about the length of time it took for officers to respond when he reported a mentally ill neighbor who was threatening him. The complaint was classified as policy complaint. The assigned supervisor spoke with the primary involved officer and the reporting party. The supervisor explained the call delay and why the officers took the actions they did (and did not) during the call. The supervisor was also able to explain to the reporting party that the officers had not given out his identity to the people

F. July Case Reviews – Service Complaints cont'd...

who were the subject of the call, but that they had already determined it was the reporting party who complained.

Issues for the CRB:

Members noted that his complaint illustrated the staffing concerns that exist on each EPD watch. The outreach by the Sergeant did bring some understanding to the Reporting Party, but one member felt giving the Reporting Party some de-escalation strategies for the future would have been helpful.

Case #4 - Summary of Facts

Reporting Party complained about how officers responded to a domestic dispute in which she was involved. She stated that an officer was rude and complained that her children were interviewed without DHS being present. She also complained that her husband was not arrested. The complaint was classified as a service complaint/performance. The assigned supervisor reviewed the police report and spoke with the primary involved officer before speaking with the reporting party. The supervisor explained to the reporting party: (1) the laws surrounding menacing and why no enforcement action against her husband was taken; (2) that policy permitted officers to interview the children; and (3) why the officers she felt was rude was in a hurry to get a statement.

The reporting party stated that she felt much better about the incident and thanked the supervisor for explaining things to her.

Issues for the CRB:

Board members felt that the Supervisor did a comprehensive job on explaining to the Reporting Party the officer's actions and why they were unable to take the enforcement actions she had expected.

Case #5 - Summary of Facts

Reporting Party complained to the auditor's office that an employee had repeatedly threatened to cite his wife for leash law violations, despite the fact that the dog was a certified service animal. The complaint was classified as an inquiry. The assigned supervisor reviewed relevant laws and regulations and spoke with the reporting party's wife (who had had the contacts with the involved employee). The supervisor took the time to explain the rules surrounding service dogs and leashes (with certain exceptions, state law requires that control over assistance animals must be with a harness, leash, or tether). The reporting party was appreciative of the follow up from the supervisor and of the officer's discretion in not citing her for having the dog off leash.

F. July Case Reviews – Service Complaints cont'd...

Issues for the CRB:

Many Board members felt the officer's conduct was a model of police discretion about when to be really strict and when to give someone a break. Other members questioned that since the officer was not legally allowed to ask a person what their disability is, there was no way the officer could know if a harness or leash would interfere with the animal performing its task.

Case #6 - Summary of Facts

Reporting Party complained that an officer kept telling her he did not believe her and used misleading questions when asking her about an accident in which she stated she hit her head on a door jam. The complaint was classified as an inquiry. Preliminary investigation included review of dispatch records, police reports, and ICV. The preliminary investigation showed that no EPD employee had violated policy during the call, and the complaint was dismissed and closed.

Issues for the CRB:

CRB members felt that the communication done in this case was well done and that trauma to the Reporting Party probably occurred. Members offered no objections to the dismissal of this complaint after preliminary review.

G. September Case Review –

Summary: Reporting Parties alleged that officers used excessive force to effect the arrest of Reporting Party 2's son and Reporting Party 2. They also alleged that officers were racially biased by making the arrests. They also alleged that the officer was racially biased when he made statements at the jail to Reporting Party 2 that she considered racially biased. Upon arrival on scene, a supervisor used force to separate Reporting Party 2 from her son who was in handcuffs and not actively fighting. It is alleged that he unnecessarily escalated the situation, which resulted in additional use of force (e.g., taser deployment, etc.) against the already handcuffed subject. Once both subjects were separated, the supervisor allegedly made a decision to have Reporting Party 2 lodged at the jail without attempting to learn more about the circumstances that led to that point, and to evaluate whether arresting or lodging Reporting Party 2 was the most appropriate course of action.

Allegations:

Officer A

1. **Use of Force** - that Officer A used excessive force to effect the arrests of Reporting Party 2 and her son.
2. **Professional Police Contacts** - that Officer A violated the Professional Police Contacts policy by failing to provide equitable law enforcement services with due regard for the protected class status of those served.
3. **Use of Taser** - that Officer A violated the Taser policy when he deployed his Taser twice on Reporting Party 2's son and when he "painter" the Taser laser pointer on Reporting Party 1.

Officer B

1. **Professional Police Contacts** - that Officer B violated the Professional Police Contacts policy by failing to provide equitable law enforcement services with due regard for the protected class of those served.

Officer C

1. **Use of Force** - that Officer C used excessive force to effect the arrests of Reporting Party 2 and her son.

Supervisor D

1. **Use of Force** - that Supervisor D used excessive force to effect the arrests of Reporting Party 2 and her son.
2. **Professional Police Contacts** - that Supervisor D violated the Professional Police Contacts policy by failing to provide equitable law enforcement services with due regard for the protected class status of those served.

G. September Case Review cont'd...

3. **Unsatisfactory Performance** - that Supervisor D, as the watch commander and on-scene supervisor, failed to conform to standards established for his rank or position and failed to take appropriate action.

Recommended Adjudications

Officer A

1. **Use of Force:**
 - EPD chain of command: Within Policy
 - Auditor's Office: Within Policy
 - Chief's Adjudication: Within Policy

G. September Case Review cont'd...

2. **Discrimination**
 - EPD chain of command: Unfounded
 - Auditor's Office: Insufficient Evidence
 - Chief's Adjudication: Unfounded
3. **Use of Taser**
 - EPD chain of command: Within Policy
 - Auditor's Office: Within Policy
 - Chief's Adjudication: Within Policy

Officer B

1. **Discrimination**
 - EPD chain of command: Unfounded
 - Auditor's Office: Unfounded
 - Chief's Adjudication: Unfounded

Officer C

1. **Use of Force**
 - EPD chain of command: Within Policy
 - Auditor's Office: Within Policy
 - Chief's Adjudication: Within Policy

G. September Case Review cont'd...

Supervisor D

1. Use of Force

- EPD chain of command: Within Policy
- Auditor's Office: Sustained
- Chief's Adjudication: Within Policy

2. Discrimination

- EPD chain of command: Unfounded
- Auditor's Office: Insufficient Evidence
- Chief's Adjudication: Unfounded

3. Unsatisfactory Performance

- EPD chain of command: Sustained
- Auditor's Office: Sustained
- Chief's Adjudication: Sustained

Issues for the CRB:

Board members felt the response to and the classification of the incident was handed appropriately. The investigation was thorough, but more emphasis should have been placed on implicit bias and the role it played in the incident. One member suggested that 2 of the officers did not try to deescalate the situation but rather attempted to command and control. They felt it was important for officers to use CIT training skills. Concern was expressed that the victim was arrested and did not receive caretaking and medical attention, one member added that probable cause did not replace discretion on whether or not arresting a victim served a purpose. Final comments by board members emphasized the importance of Crisis Intervention Training and an acknowledgement of implicit biases providing an opportunity for more training for officers. There was disagreement with some of the adjudication recommendations by the Chain of Command, Auditor and the final adjudications from the Police Chief.

Adjudication Recommendations:

Officer A: Use of Force: The CRB agreed 6-1 with the recommended adjudications.

Officer A: Discrimination: The CRB agreed 7-0 with the Auditor's recommended adjudication of insufficient evidence rather than the Chief's decision of unfounded.

Officer A: Use of Taser: The CRB agreed 6-1 that the use of the Taser was in policy; however, 5 members felt that the section of the policy regarding after care was violated.

G. September Case Review cont'd...

Officer B: Use of Force: All CRB members agreed with the auditor's recommendation and the Chief's decision of within policy.

Officer C: Discrimination: All CRB members agreed with the auditor's recommendation and the Chief's decision of unfounded.

Supervisor D: Use of Force: The CRB agreed 7-0 with the Auditor's recommended adjudication of sustained rather than the Chief's decision of within policy.

Supervisor D: Discrimination: All CRB members agreed with the auditor's recommendation of insufficient evidence rather than the Chief's decision of unfounded.

Supervisor D: Unsatisfactory Performance

All CRB members agreed with the auditor's recommendation and the Chief's decision of sustained.

H. October Case Review

Case #1

Summary: Officer A was dispatched to a report of a physical dispute, along with two other employees. They contacted the victim outside her residence, where she explained that she had been in a physical dispute with an ex-significant other. Officer A asked about injuries; the victim explained that she was fine but probably had bruising. She stated that there was a shotgun and ammunition in her house. Officer A told her he would be writing an incident report and that he did not think that this rose to the level of an Abuse Prevention Act arrest. Officer A advised that the victim should consider getting a restraining order. The victim said she already had one. Officer A did not follow up on the restraining order statement. The victim told the officer about the shotgun and that the suspect had picked up the gun and threatened to hit her with it. Officer A turned to Officer B and said something similar to, "May not get out of here on time." Officer A asked some clarifying questions and informed the victim that this information changed things, and it was now a mandatory arrest situation. Officer A and cover officers went to the victim's residence to search for the suspect, but he was gone. The involved shotgun was located on the floor of the residence, but it was not seized. The victim advised the officers of a one-block area where the suspect was living with a relative; she did not know the specific address. An audit showed that Officer A did not run the suspect's name through the system. Officer B ran the suspect through DMV to try and obtain a current address. There was no information that the suspect was run through the records department. Officers did not discover that the suspect was a felon with a valid restraining order against him, protecting the victim in this case. Officer C assisted in a later investigation where probable cause existed to arrest the suspect; Officer C was able to obtain his address via an Internet search. The suspect was contacted and arrested for all charges at that address. While preparing for trial of the suspect, the District Attorney's office developed concerns about how Officer A investigated this case and handled the follow up with the DA. The DA reported their concerns to EPD.

Allegations

1. **Unsatisfactory Performance:** That Officer A failed to take appropriate action, as required by ORS 133.055 and POM 320.4.g, when he failed to take reasonable steps to effect the arrest of a suspect.
2. **Courtesy:** That Officer A used insolent language in the presence of the victim during an investigation.

Recommended Adjudications:

1. **Unsatisfactory Performance**
 - EPD chain of command: Sustained

H. October Case Review cont'd...

- Auditor's Office: Sustained
- Chief's Adjudication: Sustained

2. Courtesy

- EPD chain of command: Unfounded
- Auditor's Office: Sustained
- Chief's Adjudication: Unfounded

Issues for the CRB:

Board members commented that this was a very thorough and professional investigation by the IA Sergeant. Board members expressed concern that this issue was not caught by an EPD supervisor, but that it was brought to light after being turned over to the DA. Members noted that the issue with the Union believing that a complaint could not be brought forward after 6 months needed to be clarified. (Rather 6 months from incident or 6 months from discovery.) Concern for the treatment of the victim was also expressed, leaving her out on the street corner alone in the dark and failing to follow through and run the suspect's name showed lack of respect for the victim. Members felt both allegations should have been sustained.

Case #2 – Inquiry

Summary: Officer A was contacted by school officials regarding two people trespassing on the campus of a school and reportedly using the school's port-a-potty. Officer A contacted the two individuals and explained that they could not be on school property. He explained the division between school property and park property.

No citations were issued. Some people in the neighborhood reported to a police commissioner that Officer A was harassing the individuals. The police commissioner notified EPD, and Officer A's supervisor spoke with Officer A, the person who reported the incident to the police commissioner and the police commissioner.

Officer A's actions were found to be within policy, and the complaint was closed

Issues for the CRB:

One member of the CRB believed the evidence suggested the officer was enforcing a trespass law on public property. Other members saw no policy violation by the officer and appreciated that community members cared about the two individuals enough to have the issue considered.

I. November Case Review

Summary: Allegation of use of excessive force by an EPD officer at the jail. A criminal investigation into Officer A's actions at the jail followed. The administrative investigation was suspended pending the conclusion of the criminal investigation and prosecution process. Officer A was found guilty of official misconduct and assault. The administrative investigation followed the close of the criminal investigation; for the most part, it adopted the criminal investigation. The City and Officer A came to an agreement about Officer A's separation and he is no longer employed by the City.

Allegations:

1. **Use of Force:** That Officer A used excessive force when he grabbed Mr. B, a handcuffed suspect, from a bench in the Lane County Jail book-in room, and took him to the ground. During the takedown, Mr. B suffered a laceration and bruising to his head and face.
2. **Conformance to Laws:** That the level of force used by Officer A on Mr. B during the takedown in the jail constituted the misdemeanor crime of Assault IV and Official Misconduct I, in violation of EPD policy.
3. **Courtesy:** That Officer A used course, profane, and insolent language with Mr. B and failed to control his temper, while engaging in unprofessional verbal exchanges.
4. **Unbecoming Conduct:** That Officer A's actions and demeanor were unprofessional, unbecoming, and brought discredit to him and the department.
5. **Unsatisfactory Performance:** That Officer A failed to conform to the standards of his rank or position, failed to take appropriate action, and failed to perform professionally during the arrest and detention of Mr. B.

Recommended Adjudication:

1. **Use of Force**
 - Resigned during internal investigation.
2. **Conformance to Laws**
 - Resigned during internal investigation.
3. **Courtesy**
 - Resigned during internal investigation.
4. **Unbecoming Conduct**
 - Resigned during internal investigation.
5. **Unsatisfactory Performance**
 - Resigned during internal investigation.

I. November Case Review cont'd...

Issues for the CRB:

Members expressed appreciation of the Blue Team software program that allowed for the incident to be reported and reviewed so quickly by the Auditor's Office. Some expressed disappointment that the case took so long to be investigated and closed, but realized that it was due to the criminal court process and not through neglect. Members hoped the issue of other officers not stepping in as the verbal sparring between the officer and the man in custody escalated was addressed by supervisors. Many believed that de-escalation would have prevented the incident. Further training on the role of back-up officers was needed. The board members agreed with the recommendations.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Emergency Management Program Update

Meeting Date: September 13, 2017
Department: Central Services
www.eugene-or.gov

Agenda Item Number: B
Staff Contact: Kevin Holman
Contact Telephone Number: 541 682-5664

ISSUE STATEMENT

This item provides the Council with an update on activities related to the City's Emergency Management Program.

BACKGROUND

Emergency Management staff made a presentation to the Budget Committee on the Emergency Management Program on March 15, 2017. Below is an update on key aspects of the program.

Grant Funding: Since March we have been notified that the City will receive grant funding for the following projects:

- \$696,000 from the State of Oregon's Seismic Rehabilitation Grant Program to fund seismic upgrades to three fire stations: Bethel, Danebo and the University station.
- The City participated in several successful FY17 State Homeland Security Program (SHSP) grant proposals with our partners and is scheduled to receive:
 - o \$81,000 for an Emergency Operations Center (EOC) Satellite Uplink System;
 - o \$90,000 to conduct a multijurisdictional fuel assessment and planning project with the cities of Coburg, Cottage Grove, Creswell, Junction City and Springfield;
 - o \$650,000 to the Joint State Bomb Teams (Eugene, Salem, Portland and the State) for equipment and training.

In addition, as a result of the December 2016 ice storm, the City was eligible to apply for a Hazard Mitigation Grant through FEMA and has applied for \$138,000 to purchase and install generators at the Valley River Center and Santa Clara fire stations.

[Eugene-Springfield Multi-Jurisdictional Natural Hazards Mitigation Plan:](#) Eugene and Springfield coordinate planning and implementation of a joint Natural Hazards Mitigation Plan (NHMP) that addresses multiple natural hazards including flood, wildfire, and earthquake. The latest update of the *Eugene-Springfield Multi-Jurisdictional Natural Hazards Mitigation Plan* was adopted by the City Council in February 2015. Staff has begun working with community partners on an update of the plan which must be adopted by

Council and submitted to FEMA no later than February 26, 2020 in order for the cities to continue to be eligible for mitigation project grants.

During the course of the plan update, staff will continue to work on mitigation projects identified within the current plan, including the seismic evaluation of critical City facilities. We are now beginning Phase 2 of that project. The Facilities Management Division has issued an RFP to select an engineering firm or firms to develop designs and cost estimates of seismic upgrades recommended for facilities identified in Phase 1 as needing retrofits in order to meet the goal of being able to be immediately occupied following a significant seismic event.

[Eugene-Springfield Multi-Jurisdictional Emergency Operations Plan](#): In October 2014 the Cities of Eugene and Springfield adopted the first joint *Eugene-Springfield Multi-Jurisdictional Emergency Operations Plan*. The new plan follows FEMA format and includes a 3 year work plan for the development of 17 Emergency Support Functions as well as additional Operational, Support and Incident Annexes. Working with the City of Springfield and community partners six annexes were updated or developed in FY17.

Training and Exercises: The City of Eugene requires FEMA training for employees who will be involved in disaster response and actively sponsors training opportunities. FY17 emergency exercises included a FAA required Eugene Airport “table top” exercise, an Emergency Medical Services exercise and participation in a Samaritan Hospital exercise. In the upcoming year the City will conduct a full scale FAA required exercise at the Eugene Airport as well as a full scale Emergency Medical Services exercise. In addition, the City is hosting a damage assessment “train the trainer” course in November.

Employee Preparedness: The City provides disaster preparedness training for employees annually and encourages employees to create family emergency plans and acquire emergency supplies for their families. For the last four years the City has offered an emergency supply purchase program for employees to help prepare their families and homes for a disaster and increase the likelihood that our essential employees will be able to report to work during a disaster. The employee preparedness emergency supply initiative will again be a part of our September National Preparedness Month activities.

Community Emergency Response Teams (CERT): The City of Eugene has coordinated the Eugene-Springfield Area CERT program since 2004, holds regular basic training classes for new volunteers and has trained over 450 CERT volunteers. The CERT program provides training to community members to increase pre-disaster preparedness and enhance post-disaster resilience. In FY17 Emergency Management staff coordinated four CERT basic training classes. As a part of National Preparedness Month activities, the City will conduct a Cascadia Earthquake Tabletop Exercise for CERT members. (See details below.)

Community Outreach Program: Given the expected magnitude of the Cascadia earthquake, it is very important that we help community members prepare their homes and families for disaster. The Emergency Management program provides disaster preparedness education and training for the community. In the past year Emergency Management staff made 41

preparedness presentations to neighborhood associations and other community groups, and assisted the Southeast Neighbors in the development of a Neighborhood Disaster Plan that is a model for other neighborhood groups.

National Preparedness Month: September is National Preparedness month and the Emergency Management Program is once again offering a series of educational events and activities throughout September to help community members prepare for disasters or emergencies. This year's events include a vendor fair with opportunities to learn about personal preparedness, examine and discuss contents of emergency kits, and get help mapping your neighborhood.

Date	Topic	Time	Location
Sept. 5th	<u>How Prepared Are You?</u>	3:30-5:00pm	Eugene Public Library
Sept. 6th	<u>Cascadia Tabletop Exercise</u>	6:30-8:30pm	1705 W 2nd Ave.
Sept 16th	<u>Get Ready Eugene</u>	10:30-12:30pm	Autzen Stadium Parking Lot
Sept. 26th	Mapping YOUR Neighborhood	3:30-5:00pm	Eugene Public Library
Sept. 27th	<u>Emergency Preparedness Fair</u>	11:00-2:00pm	Downtown Park Blocks

Community Partnerships: City staff is working on emergency preparedness with a variety of partners in both the public and private sectors. For example, we are working with our community partners on the following activities:

- National Preparedness Month public outreach mentioned above;
- EWEB's Emergency Water Storage Container distribution program and emergency water points of distribution;
- The NHMP Subcommittee's work on mitigation activities. Eugene Emergency Management staff coordinates the NHMP subcommittee which includes representatives from EWEB, SUB, Lane County, the University of Oregon and the local hospitals.

In addition, we regularly work with the Lane Preparedness Coalition, Community Organizations Active in Disasters (COAD) and the Red Cross on preparedness activities.

RELATED CITY POLICIES

Numerous City policies and plans offer opportunities to mitigate seismic risk, including:

- Eugene Comprehensive Plan
- Capital Improvement Program
- Facility Management and Strategic Plans

COUNCIL OPTIONS

No Council action or recommendations are suggested at this time.

CITY MANAGER'S RECOMMENDATION AND SUGGESTED MOTION

No council action or motions are suggested. This item is informational only.

RECOMMENDATION

No recommended action at this time.

FOR MORE INFORMATION

Staff Contact: Kevin Holman

Telephone: 541 682-5664

Staff E-Mail: kevin.g.holman@ci.eugene.or.us

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Purchase of Greenhill Technology Park Property for Emergency Operations Center and Eugene Police Department Special Operations

Meeting Date: September 13, 2017
Department: Central Services
www.eugene-or.gov

Agenda Item Number: C
Staff Contact: Myrnie Daut
Contact Telephone Number: 541-682-5790

ISSUE STATEMENT

The City Council is asked to approve the purchase of property, a 6.62 acre parcel located just north of west 11th Avenue and less than one mile west of Beltline Road, for \$360,459. See Attachment B for a map of the site.

BACKGROUND

The Eugene Police Department (EPD) and Central Services staff have been working together to explore the idea of co-locating a new Emergency Operations Center (EOC) with a new EPD Special Operations Facility. Over the past year, the project team conducted a lengthy search for appropriate property to support this initiative, working with Fire, PDD and Public Works staff. The team has identified one viable location for the facility on a 6.62 acre site in west Eugene, in the Greenhill Technology Park. This site will accommodate a “duplex” facility with some space shared between EPD and the EOC, which will reduce overall facility costs for both EPD and Central Services.

This project is included in the April 2017 Unfunded Needs Assessment and would accomplish several organizational goals:

- Construct an appropriately sized, seismically sound EOC to replace the undersized EOC at the Willakenzie Fire Station - #6. The Willakenzie Station was built in 1998 and includes two conference rooms totaling approximately 1,200 square feet which are dedicated as the City’s EOC. The Public Safety Training Facility at 2nd & Chambers is often used for emergency management planning, training and response purposes but it was not built to essential facility standards.
- Replace the outdated and seismically vulnerable building occupied by EPD Special Operations at 255 Lincoln St. This facility does not meet seismic standards for essential facilities and has been identified as needing substantial upgrades for many years.
- Provide the City with the opportunity to sell the 255 Lincoln property for redevelopment, supporting the goals of Envision Eugene.
- Create an important resource for the organization and the community which will strengthen our ability to plan for and respond to emergencies and disasters and will further our goals for a more resilient community.

- Support the City's preparedness goals for the 2021 World Championships.

The City Manager has entered into a Purchase and Sale Agreement to purchase this property, subject to Council approval. If the Council approves the purchase, the Risk Fund (622) will transfer the purchase price amount to the Capital Projects Fund (311) on SB 1.

RELATED CITY POLICIES

- Eugene Comprehensive Plan
- Envision Eugene
- Capital Improvement Program

COUNCIL OPTIONS

The City Council has two options:

- 1) Approve the purchase, or
- 2) Decline to approve the purchase.

CITY MANAGER'S RECOMMENDATION AND SUGGESTED MOTION

Approve purchase of Greenhill Technology Park Lot 12.

SUGGESTED MOTION

Move to approve the purchase of the Greenhill Technology Park property.

ATTACHMENT

Attachment A: Outline of Terms

Attachment B: Map – Greenhill Technology Park Property

FOR MORE INFORMATION

Staff Contact: Myrnie Daut

Telephone: 541-682-5790

Staff E-Mail: Myrnie.l.daut@ci.eugene.or.us

Outline of Terms

**Greenhill Technology Park – Lot 12
Owen Loop North**

Property: Land (6.62 acres located in Greenhill Technology Park. Tax lot number 17-04-32-11-00-300.)

Purchase Price: \$360,459

Payment of Purchase Price: Shall be paid in full at closing.

Due Diligence Period: Upon execution of a Purchase and Sale Agreement, the City will have a period of 90 business days in which to review property information and conduct on site testing to determine the condition of the property. During this period, the City will seek Council direction on whether to purchase the property.

Earnest Money: \$20,000 due ten calendar days after the expiration of the Due Diligence Period. The City will deposit Earnest Money into escrow. The Earnest Money will be credited toward the Purchase Price at closing.

Environmental Condition: During the Due Diligence Period, the City will be able to perform environment investigation to satisfy itself of the environmental condition of the property. Seller will cover the cost of a level one environmental site assessment. Based on the information provided in the environmental assessment, the City may either move forward with the purchase of the site or terminate the Purchase and Sale Agreement.

Closing Date: The closing of the sale shall occur no later than 40 business days after the end of the Due Diligence period.

Greenhill Technology Park – Lot 12
Owen Loop North

