



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

May 17, 2023

12:00 p.m. CITY COUNCIL WORK SESSION

City Council meetings will continue to be held in hybrid format using in person and 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 May 17, 2023; Her Honor Mayor Lucy Vinis Presiding

Councilors

Randy Groves, President

Alan Zelenka

Greg Evans

Emily Semple

Matt Keating, Vice President

Jennifer Yeh

Mike Clark

Lyndsie Leech

12:00 p.m. CITY COUNCIL WORK SESSION

1. WORK SESSION: Fire Marshal's Office and Unsafe Building Program

2. WORK SESSION: Police Auditor and Civilian Review Board Annual Reports

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.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Fire Marshal's Office and Unsafe Building Policy

Meeting Date: May 17, 2023
Department: Eugene Springfield Fire
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Travis Worthington
Contact Telephone Number: 541-682-8428

ISSUE STATEMENT

Eugene Springfield Fire Marshal's Office recently underwent a staffing transition to include the hiring of Deputy Chief Fire Marshal, Travis Worthington. In addition to the creation of this Springfield position, both Eugene and Springfield supported the development of the Life Safety Inspector (LSI) role. The Eugene LSI position was funded through the Community Safety Initiative. With an established leadership role and additional staff, the Fire Marshal's Office has increased efficiency and productivity in services provided to the community. Deputy Chief Fire Marshal Worthington will provide an update on Fire Marshal's Office capacity, changes in department policies, and improvements made to safety and community services.

BACKGROUND

The recent changes to the Fire Marshal's Office support the City Council's goals to continue to build a safe community for community wellbeing. The Fire Marshal's Office has increased building inspections, developed new opportunities for public education, and created policies that enhance the safety of community members and first responders.

RELATED CITY POLICIES

The Fire Marshal's Office has recently developed an Unsafe Building Policy. This policy provides guidance for dealing with vacant premises utilizing a placarding system to identify unsafe buildings. National Fire Protection Association (NFPA) statistics have shown that more firefighters are injured while operating at these locations than in any other property classification. Buildings will be given a placard that will inform emergency services if the building is safe, unsafe, or if caution should be used to access the structure.

PREVIOUS COUNCIL DIRECTION

None.

COUNCIL OPTIONS

Informational only.

CITY MANAGER'S RECOMMENDATION

None.

SUGGESTED MOTION

None.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Deputy Chief Fire Marshal Travis Worthington

Telephone: 541-682-8428

Staff E-Mail: WWorthington@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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

Meeting Date: May 17, 2023
Department: Independent Police Auditor
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Leia Pitcher
Contact Telephone Number: 541-682-5016

ISSUE STATEMENT

Interim Police Auditor Leia Pitcher and the leadership of the Civilian Review Board are appearing before the City Council to discuss the 2022 Annual Report of the Independent Police Auditor's Office and the 2022 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. The Civilian Review Board and Independent Police Auditor's Office provide and discuss their annual reports to Council on an annual basis.

[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

[June 27, 2022 Council Work Session](#)

At the June 27, 2022 City Council Work Session, Interim Auditor Leia Pitcher and the leadership of the Civilian Review Board appeared and presented the 2021 Annual Report of the Independent Police Auditor's Office and the 2021 Annual Report of the Civilian Review Board.

COUNCIL OPTIONS

Informational Only.

AUDITOR'S RECOMMENDATION

None.

SUGGESTED MOTION

None.

ATTACHMENTS

- A. 2022 Annual Report of the Independent Police Auditor's Office
- B. 2022 Civilian Review Board Annual Report

FOR MORE INFORMATION

Staff Contact: Leia Pitcher

Telephone: 541-682-5016

Staff E-Mail: lpitcher@eugene-or.gov

2022

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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Executive Summary

I am pleased to present the 2022 Annual Report of the Office of the Independent Police Auditor. I am extraordinarily proud of the work we were able to accomplish last year, including:

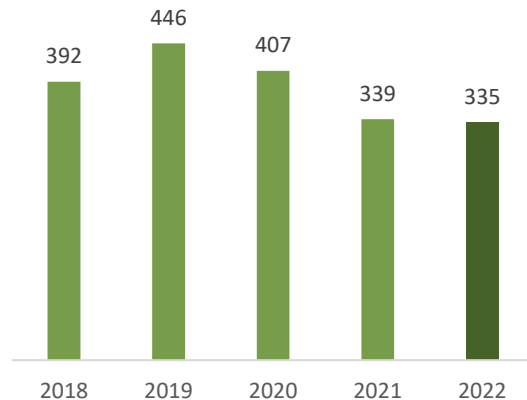
- Sustaining the trust and relationships with community stakeholders that has been carefully built over the past 13 years;
- Improving our online accessibility, including the launch of an online portal for complaints and communicating with complainants;
- Moving to new office space with enhanced security and comfort that includes meeting space to accommodate our return to in-person/hybrid Civilian Review Board Meetings.

I am enormously grateful to my team: Vicki Cox, Rob Eller, Lindsey Foltz, and Beatriz Otero-Hernandez. They are professional, capable, and dedicated to this work. Our very small office is only able to accomplish great things through the commitment and incredible abilities of this fantastic team, and I am so looking forward to seeing what we can accomplish in 2023.

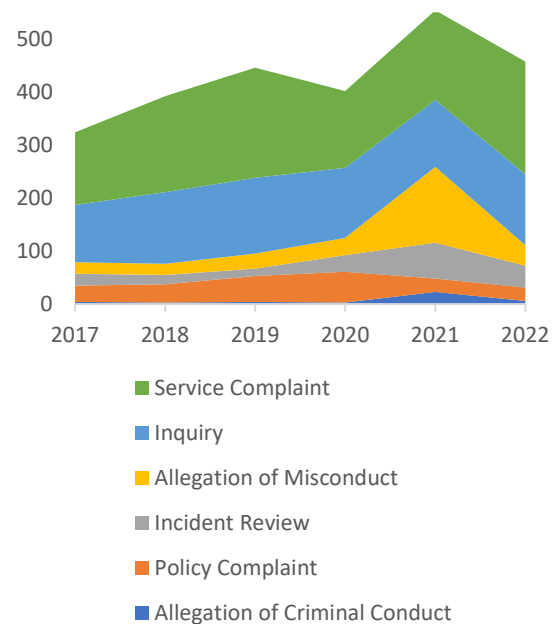
Leia Pitcher

Interim Police Auditor

Complaint Volume by Year



Classification: Type & Volume
5 Year Trend



What is the Mission & Purview of the Office of the Independent Police Auditor?

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 Police Auditor, reviews complaint cases and provides policy recommendations to the EPD and the Police Commission.

Mission and Purview

The Office of the Independent Police Auditor (OIPA) 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 OIPA 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 Auditor's Office functions.

FUNCTIONS OF THE OFFICE OF THE POLICE AUDITOR

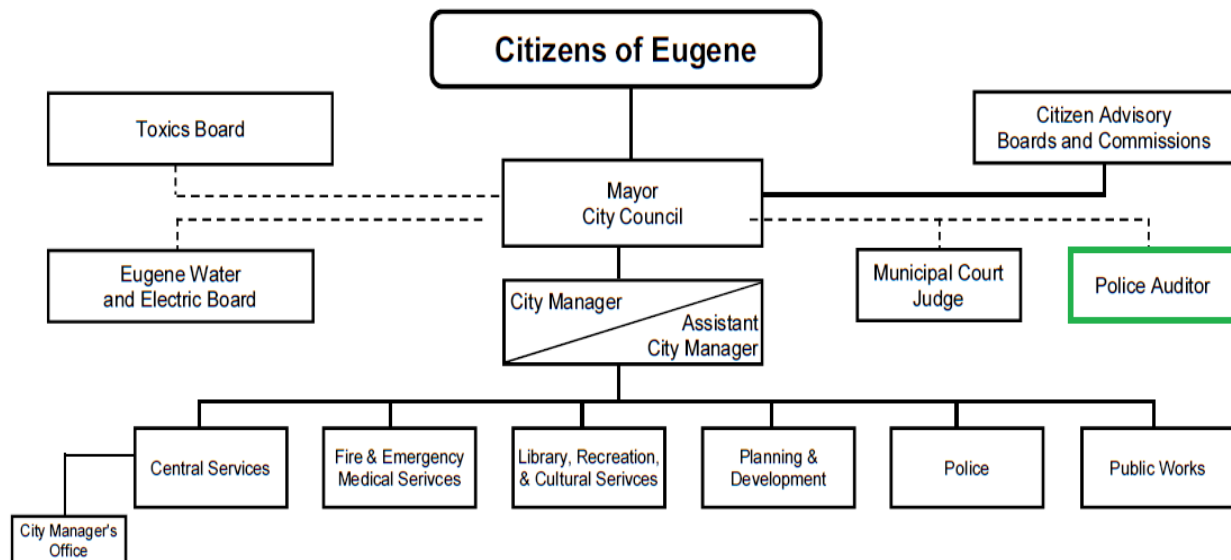
- COMPLAINT INTAKE
- CLASSIFYING COMPLAINTS
- MONITORING INVESTIGATIONS
- RECOMMENDING ADJUDICATIONS
- RECOMMENDING POLICY AND TRAINING
- REPORTING TO THE COMMUNITY
- SUPPORTING CIVILIAN REVIEW BOARD

Where does the Office of the Independent Police Auditor fit within the City?

INDEPENDENT CIVILIAN POLICE OVERSIGHT

The OIPA and the CRB operate independently. The OIPA reports directly to, and is funded by, the Eugene City Council. The OIPA is an independent, civilian entity performing oversight of the EPD; neither the funding nor management overlap with EPD. No employee of the Auditor's office is an employee of the EPD.

City of Eugene Organizational Chart



MAYOR & CITY COUNCIL CIVILIAN REVIEW BOARD OIPA STAFF

Mayor: Lucy Vinis
 Ward One: Emily Semple
 Ward Two: Matt Keating
 Ward Three: Alan Zelenka
 Ward Four: Jennifer Yeh
 Ward Five: Mike Clark
 Ward Six: Greg Evans
 Ward Seven: Claire Syrett
 December 2022: Lyndsie Leech
 Ward Eight: Randy Groves

Chair: Carolyn Williams
 Vice Chair: Bernadette Conover
 José Cortez
 Monique Griffin (from 6/2022)
 Michael Hames-García (through 6/22)
 Alan Leiman
 Clay Neal
 Rick Roseta (from 6/2022)
 Bill Whalen (through 6/2022)

Interim Police Auditor:
 Leia K. Pitcher
 Associate Auditor:
 Rob Eller
 Associate Auditor:
 Lindsey Foltz
 Senior Program
 Coordinator: Vicki Cox
 Community Engagement
 Coordinator & Translation
 Specialist: Beatriz Otero-Hernandez

How does the Office of the Independent Police Auditor Accomplish its Mission?

INTAKE

- EXTERNAL
- INTERNAL
- AUDITOR

INTAKE

To ensure access and safety the OIPA has a wide variety of ways to receive complaints including phone, E-mail, website, walk-in and via mail. Complaints can be generated externally by community members (including anonymous and third-party complaints), internally by EPD staff, or by the auditor.

CLASSIFY

- POLICY
- SERVICE
- INQUIRY
- INCIDENT REVIEW
- ALLEGATION

CLASSIFY

The authority to classify complaints rests with the Police Auditor alone. This classification determines the path of investigation for each complaint. The Auditor may also dismiss complaints if, for example, it falls outside the jurisdiction of the OIPA, isn't timely (as defined by City Code), or is better remedied in an alternate venue such as the courts.

MONITOR

- DATA ACCESS
- INTERVIEW PARTICIPATION

MONITOR

The OIPA actively monitors investigations and has complete access to all reports, body-worn and in-car video footage, call logs, dispatch records, e-mail correspondence, and interviews with witnesses and involved parties.

RECOMMEND

- 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.

REPORT

- CLOSING LETTERS
- CRB
- ANNUAL REPORT

REPORT

Community complainants receive a closing letter informing them of the classification and outcome of their complaint. The Civilian Review Board selects cases to publicly review and receives monthly updates on intakes and closed cases; finally the OIPA generates an annual report detailing complaints and outcomes from the previous calendar year.

What were the Outcomes for the Office of the Police Auditor in 2022?

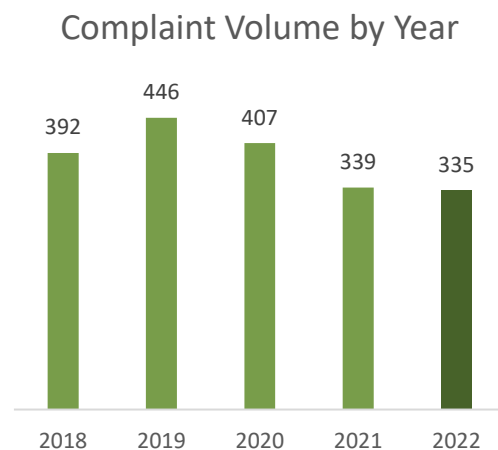
Complaint Intake, Classification, & Investigation

Overview

The OIPA serves as the intake point for all complaints about EPD employees. In 2022 the office received 339 complaints. Additionally, the OIPA proactively reviewed all reportable uses of force and vehicle pursuits. During 2022, there were 159 reportable uses of force and 10 vehicle pursuits. The OIPA also serves as one of several intake points for police commendations.

Complaint Intake

While our office remained closed to unscheduled walk-in traffic during 2022, we were available for in-person intakes upon appointment. We continued to receive complaints by phone, e-mail, mail, social media, and through our website. As in years past, we also had a significant number of internally generated complaints which are initiated either by EPD employees or the Auditor. We received a total of 335 complaints, very similar to 2021 though a decrease from the higher numbers in 2019 and 2020. In addition, our office reviewed 159 reportable uses of force and 10 vehicle pursuits.



The most common method used by community members to file complaints with our office continued to be the telephone (45%). Community members also submitted a significant number of complaints electronically via the online complaint form (26%) and E-mail (13%). In 2022 we completed the work to transition from a web-based form to a fully functional public portal for filing complaints. The new portal allows for truly anonymous complaints, the ability for complainants to upload photos, videos, and

documents, and up to date status notifications to complainants. Approximately 14% of complaints were internally generated in 2022. This is a slight increase from previous years.

Of the complaints our office received, 71 were dismissed. The most common reasons for dismissals were because the complaint was related to an employee or practice outside the jurisdiction of the OIPA, timeliness, or there was no alleged or observable policy violation found in a preliminary investigation. 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 a very small number of cases the employee was not identifiable, there was a more appropriate alternate remedy such as the courts, or the complaint had been previously reviewed.

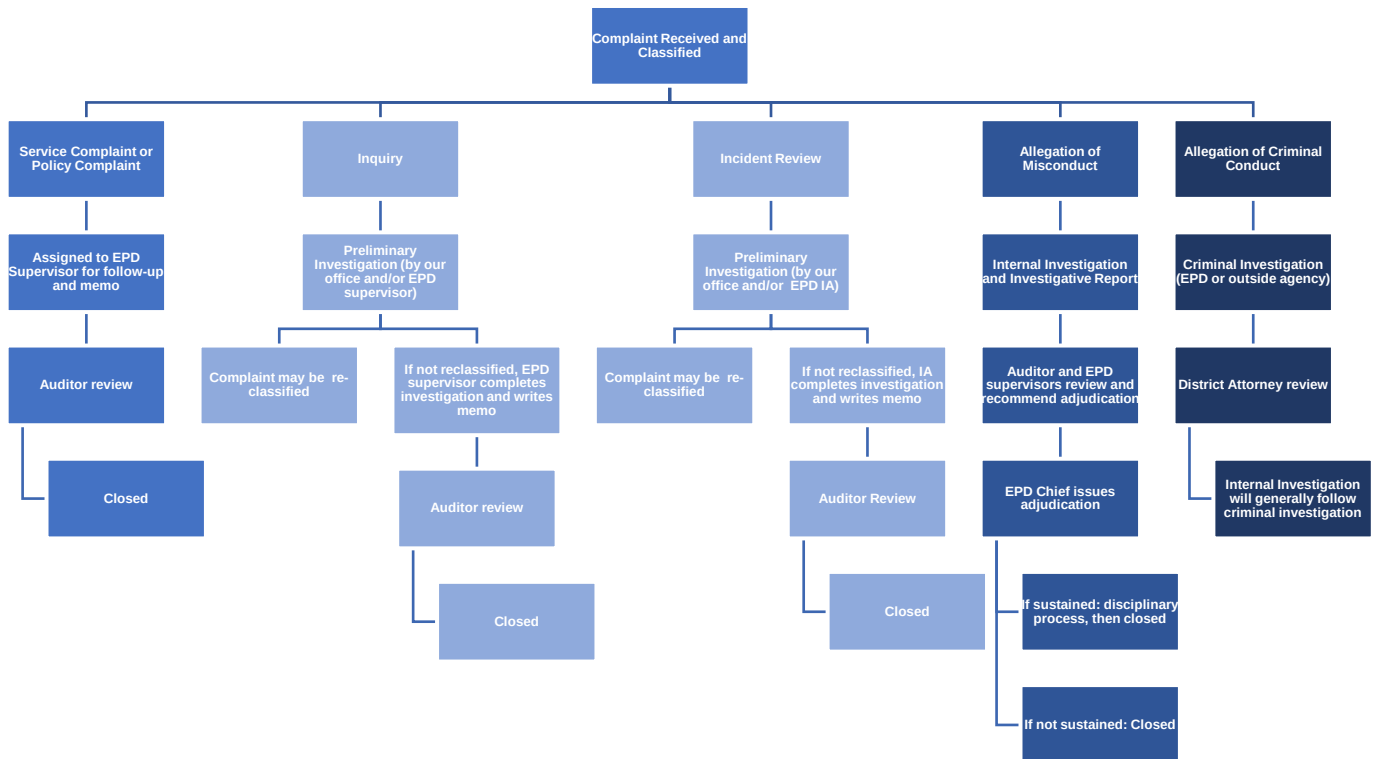
This means that 262 complaints led to an investigation during 2022. Of these, 260 were completed within the calendar year, closing within an average of 31 days - 10 days faster than in 2021. Only two cases opened in 2022 remained open as of the writing of this report. Both cases were allegations of misconduct and occurred in the final quarter of 2022.

Classifications by Category

Once a complaint is received, the Police Auditor reviews it to determine if it is within the jurisdiction of the OIPA, meets timeliness requirements elaborated in the City Code, and that the OIPA 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 Police Auditor. This classification determines the investigation and resolution process for that complaint. The following are the classifications used by the Police Auditor:

- Policy Complaint
- Service Complaint
- Inquiry
- Incident Review
- Allegation of Misconduct
- Allegation of Criminal Conduct

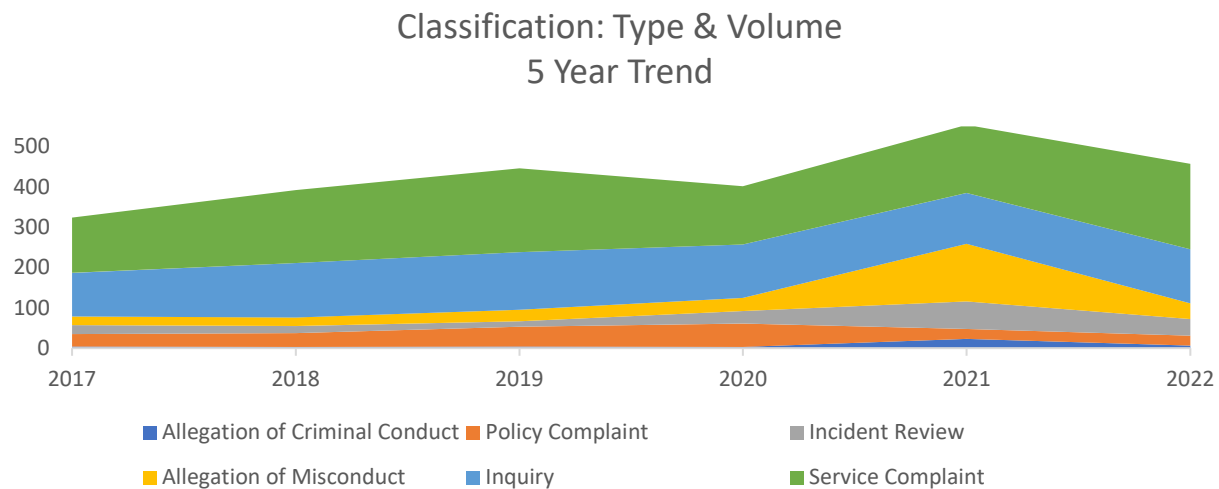
Once a complaint has been classified it follows the corresponding path outlined in the flow-chart on the next page.



- Any complaint may be selected for possible mediation, which follows a different process.
- The Civilian Review Board may review any closed case 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.

A single complaint may generate multiple classifications or specific allegations against one or more EPD employees. In 2022, the auditor classified complaints in the following way:

Specific Allegations	2022
Service Complaint	212
Inquiry	134
Incident Review	41
Allegation of Misconduct	39
Policy Complaint	25
Allegation of Criminal Conduct	6
Total	457



These charts demonstrate that both number of complaints and the number of specific allegations generated from each complaint were slightly lower than in 2021, though continued to be higher than average compared to previous years. Service complaints continue to be the most common classification, followed by inquiries. There were significantly fewer allegations of misconduct and allegations of criminal conduct classified during 2022.

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 212 service complaints during 2022, up from 169 in 2021. Service complaints, always the most common of our complaints, were focused on performance (98 complaints), followed by service level (67 complaints), and finally courtesy (27). It is worth noting this is a significant increase in service level complaints. Of the service complaints, 175 were addressed by an EPD supervisor, reviewed by our office and then closed. The remaining 37 were dismissed.

There were 25 policy complaints during 2022, the same as in 2021 but down significantly from 2020 (58). Of these, 20 were addressed by an EPD supervisor and 5 were dismissed.

Most inquiries were addressed by an EPD supervisor, reviewed by our office, and then closed (89 of 134). The others were dismissed or closed following a preliminary investigation.

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 to conduct an initial investigation to determine basic facts. Inquiries can be reclassified if appropriate.

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. Our office participates in Internal Affairs’ investigations into incident reviews, and prior to interviewing the involved employee, our office consults with Internal Affairs to determine if the complaint should be reclassified (for instance, if it appears serious misconduct occurred) or if the investigation to date is thorough, fair, and complete.

Incident Review

A complaint is classified as an incident review when serious misconduct is alleged but a preliminary investigation is needed. Incident reviews can be reclassified if appropriate.

In 2022, we conducted 41 incident reviews. The incident reviews were related to performance (15), conduct (12), use of force (11), discrimination (2), and constitutional rights (1). Thirty-four incident reviews were investigated by an Internal Affairs supervisor (in collaboration with the OIPA) and closed without re-classification and after necessary follow-up. The other six were dismissed or administratively closed following the investigation by Internal Affairs and the OIPA (summaries of all Incident Reviews are included in Appendix B).

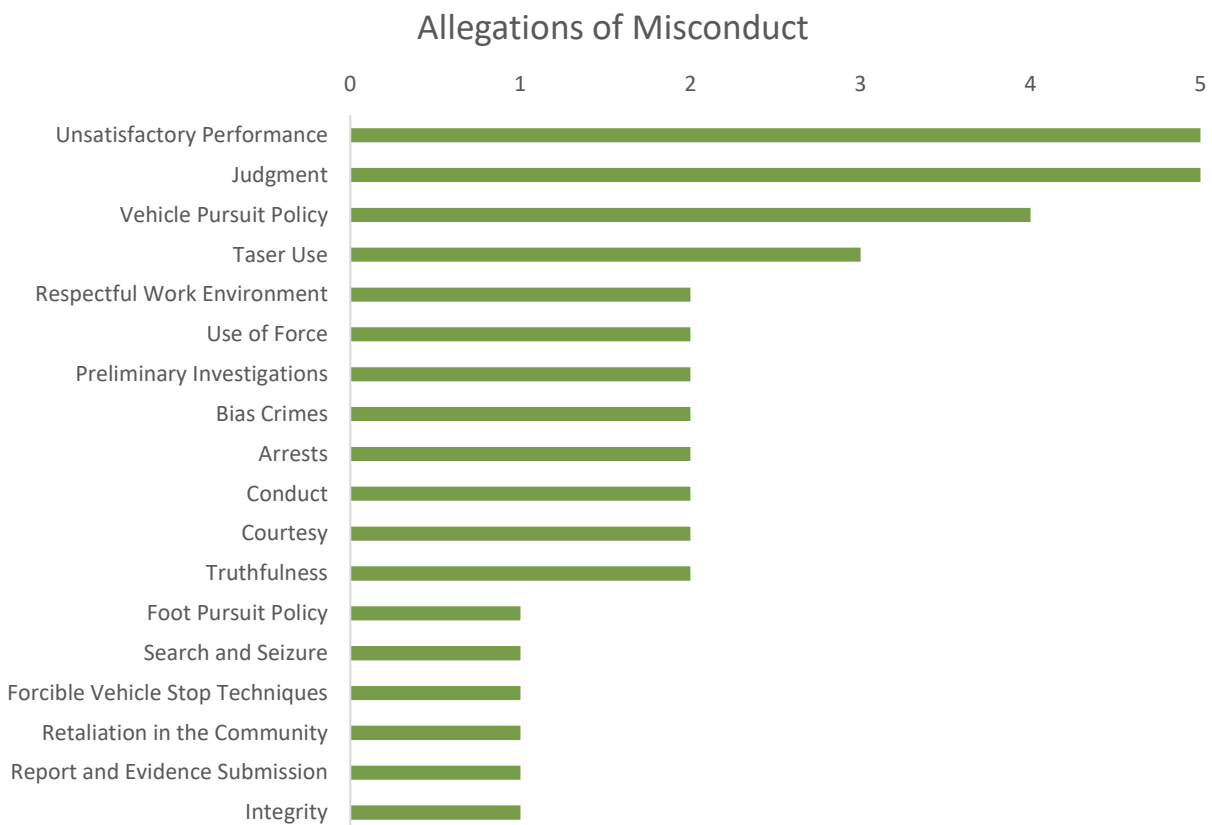
Allegations

Misconduct/Policy Violations

In 2022, the OIPA classified 39 specific allegations of misconduct against 21 EPD employees (arising out of 17 complaints). A summarization of all allegations is attached to this report as Appendix A. The most common allegations were related to conduct, followed by unsatisfactory performance, use of force, and constitutional rights.

Allegation

A complaint is classified as an allegation when serious misconduct or criminal conduct is alleged.



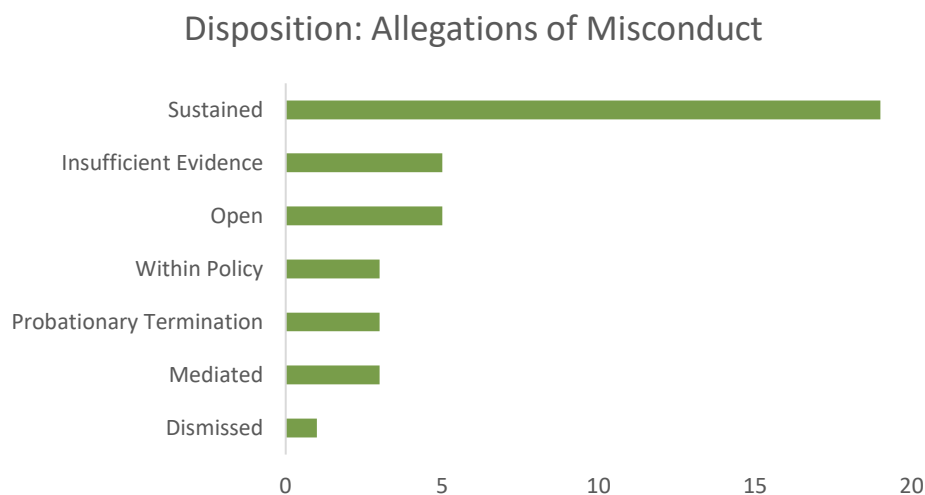
Criminal Allegations

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. One complaint was administratively closed because there was insufficient information from the complainant to pursue an investigation. There was one EPD employee named in the other criminal allegation. A criminal investigation into the incident was conducted by an outside agency, and we were kept apprised of that investigation. This complaint ultimately generated one specific allegation of criminal conduct and an additional 4 specific allegations of misconduct (violations of EPD Policy rather than law), which were administratively investigated by Internal Affairs with Auditor oversight.

Disposition

Misconduct/Policy Violations

Of the 39 specific allegations of misconduct, 5 remain under investigation as of the writing of this report. For those that have been completed, 19 were sustained, there was insufficient evidence to prove five allegations, three were within policy, and one was dismissed. One probationary employee was terminated during the allegation investigation (related to three misconduct allegations). In 2022, three cases were resolved through mediation.



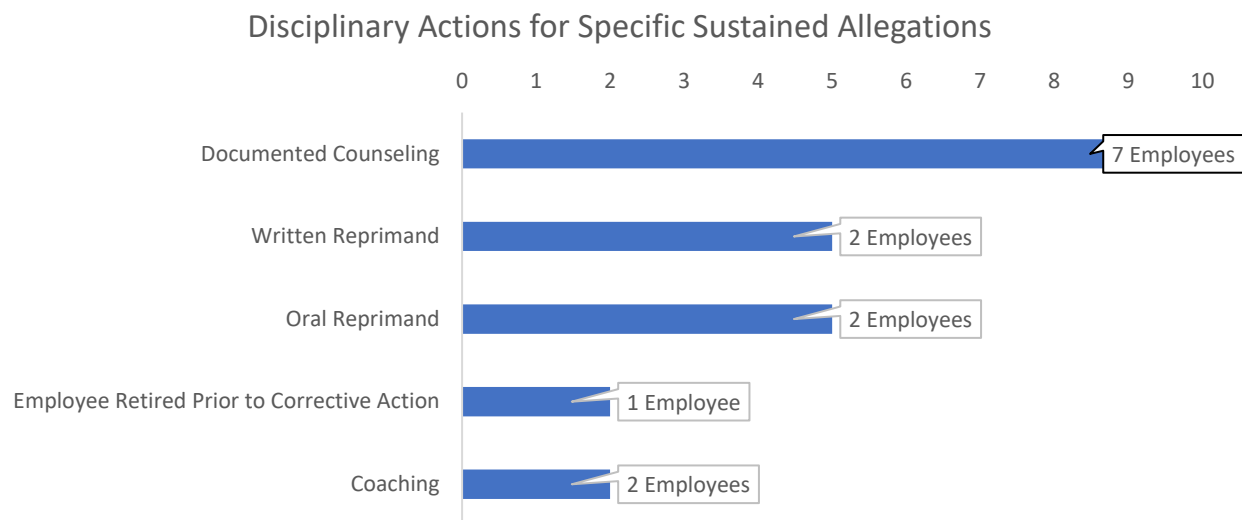
Criminal Conduct

In 2022, there were two complaints that contained allegations of criminal conduct. In one case, there was insufficient evidence to substantiate the criminal allegation, while the four other allegations of misconduct were sustained. The one other complaint alleging criminal conduct was reviewed but the complainant could not provide sufficient

detail to investigate and therefore it was administratively closed pending the receipt further details.

Sustained Allegations and Discipline

The OIPA is allowed to report on disciplinary trends, though we are not involved in discipline of EPD employees. The following chart and table highlight the disciplinary outcomes for sustained allegations and which policies were violated. There were 14 employees found to have committed the 23 sustained allegations of misconduct.¹



Policies Violated

Conduct	2
Judgment	4
Evidence & Property Handling	2
Arrests	2
Integrity	3
Unsatisfactory Performance	5
Forcible Vehicle Stop Technique	1
Preliminary Investigations	2
Professionalism	1
Vehicle Pursuit	1
Respectful Workplace	2
Use of Force	1

¹ Please note this combines all policy violations including those that were associated with criminal allegations that were not substantiated.

Deadly Force Investigations

In 2022 EPD did not use deadly force. 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 Associate Auditors respond to the scene 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 investigation is necessary. We participate in any further investigation and 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.

2022 Administrative Progress and Results

Overview

In addition to receiving, classifying and monitoring the investigations into complaints, OIPA staff supports the Civilian Review Board, regularly attends Police Commission and Human Rights Commission meetings to answer questions those groups may have regarding the office, and conducts extensive public outreach. In 2022, the Auditor continued to work at the direction of City Council in response to the recommendations from the 2020-2021 Ad Hoc Committee on Police Policy. This included both working with the City Manager and Municipal Court Judge to craft a structure for considering recommendations, and independent work to ground the Council in the history and structure of the current oversight system, with an eye to potential improvements in the future.

Personnel Restructuring

There were significant staffing changes in 2022 which greatly facilitated the overall function and timeliness of the office. Leia Pitcher remained the Interim Police Auditor while adding two part-time Associate Auditors, Rob Eller and Lindsey Foltz, in January. This triangulated structure of the office allows for improved preliminary investigation capacity and resulted in markedly faster resolution of complaints. The COVID-19 pandemic also continued to impact operations and opportunities for in-person meetings, intakes, and outreach. Despite these challenges, staff demonstrated remarkable resilience and dedication to providing the best possible service given the constraints.

Staff Support for Civilian Review Board

The CRB met nine times in 2022. They did not meet in January, August or December, and they had a tour of the EPD evidence/property unit in May. In all other months, the group held public meetings. The CRB continued to hold all its meetings virtually, record the meetings, and make those recordings available to the public in accordance with Oregon Public Records Law. The OIPA also contracts with the Lane Council of Governments to record and post robust minutes of CRB meetings.

The new OIPA office includes a public meeting space for CRB meetings, and we are looking forward to holding meetings in a consistent location to facilitate public access. The first meeting of the CRB in the new space was in February 2023.

In 2022, our office worked to improve CRB onboarding, meeting with new members and going over Eugene's oversight system and the role of the CRB and Auditor. We also instituted exit interviews when CRB members move off the Board, which were enormously beneficial in obtaining feedback on the members' experiences on the CRB and as a resource for potential improvements moving forward.

The CRB reviewed 10 cases, continuing in their effort to review more than one case per meeting when possible. 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 virtual meetings, and uploading materials to the public facing website. The CRB Annual Report can be found on the CRB website.

The CRB has liaisons to both the Police Commission and Human Rights Commission who worked extensively to coordinate communication between those bodies and the CRB. 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, our office also collaborates with the Mayor to convene a community panel to review CRB applications and forward recommendations to City Council for consideration during the CRB appointment process. During 2022 this was done remotely. The panel submitted its recommendations to Council, and Council appointed Monique Griffin and Rick Roseta to fill the seats vacated by Michael Hames-Garcia and Bill Whalen in June 2022.

Potential Improvements to Oversight Process

In July 2020, the Eugene City Council created the Ad Hoc Committee on Police Policy (AHCPP), with the charge of looking at current EPD policy through the lenses of Campaign Zero's 10-point plan for policing reform and the pillars of President Obama's Task Force on 21st-Century Policing. The Committee consisted of 30 members, appointed by Council, who represented marginalized groups in the community. The AHCPP issued its [Final Report](#) in April 2021, and the Interim Auditor worked closely with the City Manager and Municipal Court Judge to develop a matrix to track the recommendations of the group and the City's response. The Interim Auditor, City Manager, and Municipal Court Judge presented an update to Council on [February 9, 2022](#).

The AHCPP recommendations included some relating to the civilian oversight system. Council asked the Interim Auditor to give a presentation on the history and structure of oversight in Eugene, to provide a grounding for any changes or improvements to the system. The Interim Auditor gave that presentation on [May 25, 2022](#); follow up sessions on potential changes to the oversight system are ongoing in 2023.

In July 2022, the Interim Auditor, along with the City Manager, Municipal Court Judge, and the Police Chief, also invited former members of the Ad Hoc Committee on Police Policy to meet and discuss follow up on the City's actions in response to recommendations from the Committee. The meeting was productive; the City Manager also offered one-on-one follow up meetings with the former members of the Committee.

Community Outreach Efforts

OIPA staff worked to expand outreach efforts in 2022 as we started to move forward from the limitations of the COVID-19 pandemic. Virtual channels were critical to our ongoing efforts, in addition to in-person events and engagement.

Presentations, Collaborations, & Media Outreach

- Presentation to City Council: Update on Ad Hoc Committee on Police Policy
- Presentation to City Council: History and Structure of Civilian Oversight
- Presentation to City Council: Auditor and CRB 2021 Annual Reports
- Meetings with other jurisdictions looking to Eugene's oversight model, including:
 - Rochester, NY
 - Olympia, WA
 - Philadelphia, PA
- Presentations to local groups giving an overview of Eugene's oversight model, including:
 - University of Oregon School of Law Public Law & Policy Scholars
 - University of Oregon School of Law Local Government Law class
 - Lane County Public Defenders
 - Police Reform Advocates from Springfield, OR
- Outreach to local media to provide background on Eugene's model of civilian oversight
- Member, National Association of Civilian Oversight of Law Enforcement's (NACOLE) Communications Committee
- Introduction to Civilian Oversight at EPD's Sergeants' Academies
- Introduction to Civilian Oversight at EPD's Officers' Academies
- Presentation to Police Commission: Auditor's 2021 Annual Report
- Onboarding meetings with new CRB members; exit interviews with former CRB members
- Civilian Review Board Member Recruitment Efforts & Subcommittee Meeting
- Continued distribution of informational materials from the Auditor's Office in locations open to the public

Continued Collaboration on Aquí en la Ciudad (Here in the City) Weekly Broadcasts for Spanish-speaking Community Members

Funding secured by staff from the Office of Equity and Community Engagement allowed for the continuation of this weekly online news broadcast targeted to reach the local Spanish-speaking community. City of Eugene departments are encouraged to submit City-related news and services available to Eugene residents. The production team met on a weekly basis to discuss potential topics, translate any information that was not

available in Spanish, and draft a script scheduled to air the following week. While preference is always given to City of Eugene news, culturally relevant topics are also highlighted. We are committed to continuing this important work to ensure every resident in Eugene knows of City services available in our community.

Public Portal Translation

One of the largest translation projects completed during 2022 was completing all the implementation work for our Public Portal for receiving community complaints. This required a team effort including extensive support from our Community Engagement and Translation Specialist to complete a thorough revision of the translation to ensure consistency in terminology and recommend culturally appropriate changes. We look forward to seeing the benefits of this new tool and hope these major changes encourage more residents to report and track their complaints online.

Trainings & Conferences

We strive for awareness on current topics affecting our community to ensure adequate services are being provided. Staff have participated in various trainings and conferences, including:

- Police Executive Research Forum (PERF) conference and annual meeting of the Major Cities Chiefs' Association (MCCA) in May/June 2022.
- IAPRO Users' Conference in November 2022
- Oregon Bar Association, Labor and Employment Law Section CLE: Early Intervention Systems for Police Officer Performance
- Police Executive Research Forum Series
- National Association of Civilian Oversight of Law Enforcement (NACOLE) Webinar Series, including:
 - Understanding Brady and Giglio: Civilian Oversight's Role
- Criminal Justice Information System (CJIS) Training
- City of Eugene Cybersecurity Training
- Listening for Success, Less Stress, and More Effectiveness Training

Regular Attendance at Reoccurring Meetings

- Civilian Review Board
- Police Commission
- Human Rights Commission
- Latinx Outreach Network
- United for Immigrant Justice (Formerly Integration Network of Lane County)

- Regular meetings with the City Manager, Municipal Court Judge, and City Council Sounding Board to continue progress on recommendations from the Ad Hoc Committee on Police Policy
- Meetings with the Eugene Police Chief and Eugene Police Employees' Association
- Use of Force Review Boards
- Meetings with EPD Internal Affairs and command staff
- Regular check-ins with Mayor Lucy Vinis and Council Supervision Team (Council President Claire Syrett and Council Vice-President Matt Keating)

Tabling at Community Events

- Noche Cultural
- Migrant Education Program Summer School Mercado
- Asian Celebration
- Pride in the Park
- Community Alliance of Lane County Fiesta Con Nuestros Vecinos
- Black Cultural Festival
- Lane Arts Council Fiesta Cultural
- Southeast Neighbors Picnic at Tugman Park

Looking Ahead: Goals for 2023-2024

We are proud of our accomplishments in a time of many transitions during 2022, and we are looking forward to building on those accomplishments in the coming years. We will continue to focus on community outreach and fortifying our relationships and rapport 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.

We have ambitious goals for 2023, and several initiatives are already underway:

Accessibility

- The pandemic illustrated that that an improved website interface, with an online portal for updating reporting parties on the status of their complaints, would greatly improve users' experience. We have worked with the City's Information Services Division and the software vendor to integrate a community portal to our website. This portal keeps users up to date with the status of their complaints and allows for easier submission of evidence (photos, video, etc.) The community portal was rolled out in January 2023 and will be fully operational by mid-year. We are very excited about how it will improve the service experience.

- We have successfully moved into our new office space and in 2023 we look forward to improving access for in-person intakes and hybrid CRB meetings.
- We are in the initial phases of a revamp of our website, including updated information and more up-to-date reporting. All of our website information will continue to be offered in English and Spanish, with translation into other languages available.

Diversity, Equity, and Inclusion

- Our office is dedicated to promoting diversity, equity, and inclusion in the civilian oversight process. Our outreach efforts have proven that positive, practical presence in the community (whether at community events, or at an event that we create) is imperative in establishing relationships with members of our community who would not otherwise seek us out. We were a visible presence at community events throughout 2022, and we are looking forward to building on our attendance over the past year.
- We are also looking forward to bringing back our highly successful Public Safety Forums in 2023. These events are entirely in Spanish and provide an opportunity for community members to meet with service providers and have an informational Q&A with the public safety providers in our community. The Public Safety Forum will return May 2023.
- We are in the process of finding an external contractor to conduct a Diversity, Equity, and Inclusion evaluation of our office and our practices, to ensure that we are providing a safe environment for our community and that our practices are inclusive and supportive of all members of our community. We were hoping that this audit could take place in 2022, but our accessibility improvements required more staff time than expected. We are looking forward to bringing you the results of the audit, and potential improvements to the oversight system, in 2023-24.

Deadly Force Investigations

- Accurate, thorough, and transparent deadly force investigations are vital to building community trust in policing. Our office is continuing to work with Internal Affairs staff, EPD leadership, and other local leaders to improve deadly force investigations. The CRB has repeatedly criticized the IDFIT model, which was created by Lane County to comply with Oregon law, and in 2022, the state imposed new, more thorough requirements for interagency deadly force investigations. We will continue our work with EPD to ensure that the administrative investigation that follows the IDFIT investigation meets community expectations.

Ad Hoc Committee on Police Policy Recommendations

- o In 2021, the AHCPP issued several recommendations surrounding policing and community oversight. Council appointed the Interim Auditor, City Manager, and the Municipal Court Judge to examine the recommendations of the AHCPP and determine next steps for the City. Our group made our initial presentation to Council, with recommendations on how to organize and conceptualize the recommendations, in February 2022.
- o At the February 2022 meeting, Council requested a work session from the Interim Auditor going over the history and structure of the current Eugene model of community oversight. The Interim Auditor provided that presentation in May 2022. The Interim Auditor will return to Council in 2023 with her recommendations for improvements to the oversight system, as well as an analysis of the AHCPP recommendations and areas where the recommendations are consistent.
- o The Interim Auditor has also regularly met with the City Manager, City Attorney, Police Chief and additional City staff to sort through the recommendations and evaluate potential implementation. We will continue to work with this team of City employees to strengthen the City's status as a leader in public safety and community oversight.

Core Competencies and Reporting

- o 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 cannot predict the events that may require flexibility and adaptability, but we also learned that we can and will continue to provide the highest level of customer service regardless of challenges. We are happy to offer bilingual services, and we hope to continue to expand the availability of those services.
- o We are working to improve frequency and availability of reports on our complaints. The Interim Auditor began issuing regular Auditor Reports, coinciding with CRB meetings, in 2022, and will continue into 2023. We are also planning to publish issue-specific reports (related to vehicle pursuits and constitutional rights complaints, for example) into 2023.
- o We are also planning to include a reporting dashboard in our website revamp, offering the community more regular updates into our complaint workload and processing.

Outreach

- o The Auditor's Office has continued and expanded outreach efforts as in-person community events have returned. Our staff is working on plans for

an in-person Spanish language Public Safety Forum to return in 2023, as well as updating our education materials (including the potential for more video testimonials/presentations), updating our online platforms to be more accessible and interactive, and creating new opportunities for community members to engage with the oversight process.

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 to be more helpful and inclusive. In 2022, we also implemented 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 2023-2024

The City's financial picture has required that all departments take a close look at their budgets and find opportunities for efficiencies. Despite the restructuring of our office (from a Police Auditor and Deputy Police Auditor to an Auditor and two part-time Associate Auditors) and the move to a new office, we were able to come in under budget for FY22-23. 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. Service level complaints – where the service is either not delivered or is not in line with the reporting party's expectations – are increasing. We have also seen an increase in vehicle pursuits and in constitutional rights complaints (impermissible entry or seizure of property or persons). We are analyzing these trends and will publish results in separate reports in 2023.

This office has weathered incredible change over the past few years, between the pandemic, increased community focus on police and oversight services, and the change in Auditor. We have remained stable and responsible throughout, and we have learned that we can be flexible in how we provide service and unwavering in our commitment to our community.

With the office becoming fully staffed in 2022, we have been able to fulfill our core mission more professionally and efficiently. 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 Eugene police 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 2023 and into the future.

Conclusion

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 work to improve police and community oversight.

We truly appreciate the incredible assistance provided to our office by the City's Facilities Division and Information Services Division to support our office move and the implementation of Public Portal – those teams went above and beyond to help us improve our services, and we are so grateful.

We also want to thank the City's Finance Division and the Employee Resource Center for their assistance with our budgetary and employee adjustments for our restructuring. The City Manager's Office, the City Attorney's Office, and the Eugene Police Department 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 their collaborative efforts.

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.

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	
Allegation that officers charged a subject with a crime without properly establishing probable cause and misled a supervisor about the incident.	Allegation of Misconduct: Constitutional Rights	300.2 Arrests	S	S	S	1/11/2022	7/27/2022	8/22/2022	2/7/2023	Mar-23
		405 Preliminary Investigation	S	S	S					
		103.4.1 Judgment	S	S	S					
		103.5.1.a Truthfulness	S	S	IE					
		300.2 Arrests	S	S	S					
		405 Preliminary Investigation	S	S	S					
		103.4.1 Judgment	IE	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	
RP reported an interaction with an EPD Patrol Officer who used profanity while threatening to give him a citation.	Allegation of Misconduct: Courtesy	103.5.8 Courtesy	IE	IE	IE	2/7/2022	4/5/2022	4/26/2022	5/10/2022	
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	
EPD was forwarded an allegation received by an outside agency that RP saw an EPD vehicle drive by and RP later woke up unclothed and concerned about a possible assault. Dismissed: Insufficient Info to investigate.	Allegation of Criminal Conduct: Conduct	N/A	Dismissed - Insufficient Information			2/10/2022			2/25/2022	

S = Sustained
 WP = Within Policy
 IE = Insufficient Evidence
 UF = Unfounded

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 Investigation into an employee who left evidence unsecured. Expedited Process : employee stipulated to the facts of the allegation.	Allegation of Misconduct: Performance	103.5.14.c Unsatisfactory Performance	N/A - Expedited Process		S	2/10/2022			5/11/2022	
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 Investigation into whether or not a vehicle pursuit and forcible vehicle stop were within policy.	Allegation of Misconduct: Performance	814 Vehicle Pursuits	WP	S	IE	3/2/2022	7/14/2022	9/23/2022	11/17/2022	Feb-23
		103.5.22 Report and Evidence Submission	S	S	Dismissed					
		814 Vehicle Pursuits	WP	WP	WP					
		1302.2 Forcible Stops	S	S	S					
		814.2.2 Vehicle Pursuits	IE	IE	IE					
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 a supervisor did not demonstrate good judgment when he ordered a subordinate to use a taser in violation of the taser policy.	Allegation of Misconduct: Performance	103.4.1 Judgment	S	S	S	3/7/2022	4/19/2022	5/13/2022	6/15/2022	
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 officers failed to write an incident report after responding to a possible arson that the reporting party alleged was a bias crime. Mediated .	Allegation of Misconduct: Performance	304.3.2.f Bias Crime	Mediated			4/5/2022			7/29/2022	
		304.3.2.f Bias Crime	Mediated							

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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 EPD recruit officer had been untruthful during the application process.	Allegation of Misconduct: Conduct	103.5.1 Truthfulness			Probation Termination	4/26/2022			6/15/2022	
		103.5.9 Conduct			Probation Termination					
		103.4.3 Integrity			Probation Termination					
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 failed to properly document and store a detainee's property.	Allegation of Criminal Conduct: Conformance to Laws	104 Evidence and Property Handling	S	S	S	4/29/2022	12/21/2022	1/26/2023	2/23/2023	
		104 Evidence and Property Handling	S	S	S					
		103.5.9 Conduct	S	S	S					
		103.5.4 Adherence to Laws and Department Policy	UF	IE	IE					
		103.4.1 Judgment	UF	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 investigation that an officer pursued a person by vehicle and on foot and then used a Taser on them, all in violation of policy.	Allegation of Misconduct: Use of Force	814 Vehicle Pursuit	S	S	S	5/5/2022	8/16/2022	10/10/2022	12/7/2022	
		809 Taser Use	S	S	S					
		809 Taser Use	WP	S	S					
		458 Foot Pursuit	WP	WP	WP					

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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	
Outside agency inquired into the reason a medical call was significantly delayed.	Allegation of Misconduct: Performance	103.5.14 Unsatisfactory Performance	N/A - Expedited Process		S	6/13/2022			9/14/2022	
		103.5.14 Unsatisfactory Performance	N/A - Expedited Process		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 Allegation that an officer used force that was in excess of what was reasonably necessary during the apprehension of a suspect.	Allegation of Misconduct: Use of Force	800 Use of Force	WP	WP	WP	6/29/2022	10/3/2022	10/15/2022	11/1/2022	Nov-22
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 initiated complaint that an officer's use of a Taser was in violation of Policy. Mediated.	Allegation of Misconduct: Use of Force	809 Taser Use	Mediated			8/11/2022			11/8/2022	
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	
RP raised concerns about EPD actions during a party patrol. Adjudication Pending	Allegation of Misconduct: Constitutional Rights	103.5.5.2 Retaliation in the Community	UF	S	PENDING	10/31/2022	3/2/2023	N/A	N/A	
		322 Search and Seizure	S	S						
		103.4.1 Judgment	IE	S						
		103.5.8.d Courtesy	S	S						

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Appendix A: Allegations of Misconduct and Criminal Conduct

Attachment 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	
Internally reported complaint that an officer used force in excess of what was reasonable when they struck a suspect detained in handcuffs. Adjudication Pending.	Allegation of Misconduct: Use of Force	800 Use of Force	WP	S	PENDING	12/21/2022	3/14/2023	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	
Allegation that EPD officers handled RP's property incorrectly during an arrest, resulting in RP being unable to retrieve a vehicle from impound and other property from a third party. Expedited: Officers stipulated to the facts.	Allegation of Misconduct: Performance	103.5.14 Unsatisfactory Performance	N/A - Expedited Process		S	12/27/2022			3/29/2023	
		103.5.14 Unsatisfactory Performance	N/A - Expedited Process		S					

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/3/2022	2/8/2022	35	Performance	RP was unhappy that officer did not conduct a DUII screening on a man who hit a tree in his yard.	Sgt. reviewed body cams and found that officers spoke with the driver and found no probable cause of impairment. The driver admitted to using a cell phone. Officers facilitated insurance information between parties. Sgt. spoke with RP about his findings.
1/3/2022	2/25/2022	52	Inquiry	RP expressed concerns that a relative of an officer kept trying to bring the officer into conflicts between the two of them.	Sgt. spoke with the officer involved and found that the father name drops, but that the officer does not get involved and advises him to call the police if warranted. Sgt. spoke with RP about the findings.
1/3/2022	1/18/2022	15	Courtesy	RP felt a call taker who answered RP's call about being unable to contact her son was rude.	Review of the call found that the call taker tried to explain to RP that the situation being described would not allow an officer to force entry to her son's home. The call taker offered a missing persons report. The Supervisor noted no rude or unprofessional behavior. Supervisor contacted RP with the findings.
1/4/2022	1/6/2022	2	Inquiry Dismissed: Other	An anonymous RP reported various Lane County Agencies that they felt were violating several constitutional amendments.	Dismissed: Other
1/4/2022	2/14/2022	40	Performance	RP was upset that an EPD officer contacted her late at night to discuss a traffic accident.	Sgt. found that the later evening hours were the officer's shift time. No policy violations were found. Sgt. spoke with RP and explained the officer's work hours.
1/3/2022	2/25/2022	52	Hargrove	RP was upset with an interaction he had with an officer who he felt treated him like a criminal when he was the one targeted by the other driver.	Sgt. reviewed body cam and found that the officer had come on strong with RP and had set a harsh tone. Sgt spoke with the officer about taking a softer approach. Sgt. spoke with RP about the incident.
1/5/2022	2/25/2022	50	Performance	RP reported an officer who came on very strong with a trespasser in a laundromat, using no de-escalation. The officer also was not wearing a facemask.	Sgt. reviewed body cam and found that the officer contacted the subject inside the location with a calm and polite voice, through after 5 minutes of interaction the officer determined that it was appropriate to call CAHOOTS to help the man with housing. The officer then calmly waited with the man until CAHOOTS was able to come. RP then approached and asked the officer to put on a mask, which the officer did. Sgt. found no sign of officers being aggressive; Sgt. contacted RP with their findings.
1/6/2022	2/10/2022	34	Inquiry	RP was concern that police activity near her child's school did not trigger a lockdown.	Sgt. reviewed the situation and found that there was no threat to the school or the area. Sgt. spoke with RP about the incident and explained EPD's practices around school lockdowns.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/7/2022	1/14/2022	7	Inquiry Dismissed: Other	RP claimed to be the offspring of El Chapo and that EPD officers were 1/2 brothers and thus had criminal ties.	Dismissed: Other
1/7/2022	2/17/2022	40	Service Level	RP was concerned that EPD was not addressing speeding on his street.	Sgt. spoke with RP about EPD's call volume and staffing concerns and will pass along the concerns to the traffic team to work the area.
1/10/2022	1/27/2022	17	Performance	RP was upset that a call taker called him in the middle of the night to let him know EPD would not be responding to his call for service until the next day.	Supervisor found that there was a miscommunication between a previous call taker and RP; the calltaker misunderstood and believed RP requested the call. No policy violations were noted by the call taker. Supervisor communicated with RP about the incident.
1/10/2022	1/25/2022	15	Inquiry	RP was upset that an officer spoke with an out-of-state agency about past issues from Eugene, complicating RP's custody fight.	Sgt. found that the agency had reached out to EPD; the officer only provided the information that was releasable and verifiable. No policy violations found.
1/12/2022	2/24/2022	42	Performance	RP was upset that an officer and a volunteer with a camera stopped to question him and a coworker who were cleaning up graffiti.	Sgt. learned that the officer had been trying to have a positive interaction with a business by checking on the workers expressing concern about the graffiti. Sgt. spoke with RP who understood the intent of the officer and the miscommunication that had occurred.
1/12/2022	1/20/2022	8	Inquiry	Via Facebook RP inquired into whether a vehicle needs to signal before a left turn. A video of a patrol car turning without signaling was attached.	Review of ORS and case law found that if a vehicle did not deviate from the presumed course of travel in a designated turn lane it was a lawful movement. RP left no contact information.
1/10/2022	3/7/2022	57	Inquiry	RP was unhappy with how a supervisor handled his concern about having his vehicle towed.	Lt. contacted RP and explained the procedure for towing and why his vehicle had been towed.
1/13/2022	2/14/2022	31	Performance	RP is very frustrated that he and his passenger were pulled over at gun point by officers who thought he had committed a shooting across town, because his car was similar.	Review of the incident found that RP's car matched the description of the suspect's vehicle. A high risk traffic stop was executed. No weapons were pointed at RP, but they were held at low ready until officers confirmed RP was not the suspect. The supervisor attempted to talk to RP with their findings, but RP stated they did not wish to speak with the supervisor.
1/13/2022	1/26/2022	13	Service Level	RP is frustrated with the service level he receives from EPD regarding shoplifting and people hanging out near his store.	Supervisor spoke with RP about his concerns, and requested officers on his shift to do some proactive patrol checks in the area.
1/11/2022	1/20/2022	9	Performance	RP was upset that CAHOOTS and other help was not available around the clock for a suicidal subject her son was trying to help.	Review found that CAHOOTS was deployed in the correct triage priority. Supervisor spoke with RP, explained the system and why there was a delay to her son's call.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/14/2022	2/17/2022	33	Service Level	RP could not get an officer to return calls to get an update on a case.	Sgt. learned that the officer had not been advised of a voicemail box where calls were forwarded. Officer was instructed on the use of the voicemail. Sgt. spoke with RP.
1/15/2022	2/23/2022	38	Inquiry	RP felt an officer did not follow policy in allowing her to enter a neighbors apartment to get a dog, before clearing the apartment for threats inside. RP found her neighbor deceased inside.	Sgt. learned the officer had been called for a welfare check and attempted to make contact with RP's neighbor. The officer did not have probable cause to enter the apartment and cleared from the call. The officer advised that if family or friends could find a way to enter the residence, he could assist. RP then got the manager to let her into the apartment without the officer present. Once the neighbor had been found officers took over the scene. RP did not return calls to speak with the Sgt.
1/18/2022	2/17/2022	29	Service Level	RP was unhappy with the response time after reporting a potential assault in progress.	Supervisor reviewed the call and found that the call taker should have asked more detailed questions to get from the caller that it was more than just a verbal dispute. These details would have led to a higher priority for the call. Supervisor spoke with the calltaker and RP about their findings.
1/18/2022	3/10/2022	52	Service Level	RP expressed concerns that EPD's policing has gone downhill. RP observed a flagrant traffic violation and the officer in the area ignored it.	Lt. was able to find that the EPD vehicle in the vicinity was a CSO who does not have ticketing authority. Lt. corresponded with RP about the findings.
1/18/2022	2/4/2022	16	Policy	RP was unhappy that a couple of officers were rude and unhelpful when directing traffic during an accident.	No policy violations were identified, the accident was a pedestrian/motor vehicle fatality, which caused the road to be blocked off. Sgt. spoke with RP.
1/18/2022	3/10/2022	52	Service Level	RP had a general concern about how EPD's policing as gone downhill. RP gave an example of no enforcement taking place for red light runners.	Lt. contacted RP to discuss the concerns mentioned.
1/18/2022	2/25/2022	37	Performance	RP was upset that an officer pounded on her door about 8:30 pm looking for a neighbor.	Sgt. reviewed body cam and found that the officer had been dispatched to a violation of a restraining order. No policy was violated by the officer contacting RP. Sgt. spoke with RP.
1/19/2022	2/18/2022	29	Service Level	RP has been unable to get an officer to call her back, and the officer never contacted her after she was struck by a vehicle.	Sgt. learned that the officer had been on days off and had returned her call when he returned. The officer had also contacted RP at the hospital shortly after the accident. Sgt. spoke with RP.
1/21/2022	4/4/2022	73	Inquiry	RP was unhappy with how an interaction with an officer went at a cardiac event at the Washington/Jefferson Street Park.	Review of body cam found that the officer responded defensively and a bit rudely when those of the scene expressed belief that medics were needed and not police. Sgt. emailed with RP about the findings.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/23/2022	7/29/2022	186	Incident Review	RP was concerned that a high speed pursuit took place on the bike path.	Review of the incident found that the pursuit was initiated by OSP in response to a possible kidnapping. No EPD vehicle was involved in the pursuit, only following behind the other agencies vehicles. Sgt. spoke with RP who had heard about the seriousness of the incident and was understanding of the police response.
1/21/2022	1/24/2022	3	Performance	RP complained that two subpoena Service Team members woke her up at 10 am, tried to climb over her fence and then served the subpoena to a third party.	Supervisor reviewed security footage provided by RP that showed the volunteers at RP's gate at 11:30 am, they did not climb the fence and a notice was give to the third party and not the subpoena. No policy violations were noted. Supervisor spoke with RP and mailed the subpoena to resolve the issue.
1/24/2022	1/25/2022	1	Inquiry	RP inquired into an incident in which an officer pulled over his daughter for a traffic violation and approached the vehicle with a nightstick drawn.	Review of the officer's body cam showed the officer had his flash light in his hand, hanging vertically, and then tucked up under his arm at when contacting the driver. Lt. spoke with RP about the findings.
1/25/2022	4/4/2022	69	Inquiry	RP inquired into why a dispute that she observed was not a mandatory arrest crime.	Review of the officers' body cam found that the victim refused to cooperate with officers and no probable cause could be found to make an arrest.
1/27/2022	7/7/2022	160	Inquiry	Internal look into a use of force by an officer at the direction of a supervisor.	Supervisor reviewed the use of force and spoke with the officer about expectations of the chain of command.
1/27/2022	2/23/2022	26	Performance	RP felt an officer who called to take his report did not let him finish before hanging up on him.	Sgt. reviewed the call and found that the officer listened to RP, summarized back to RP his concerns, but found no criminal element in RP's report. The officer provided RP with some possible solutions and ended the call. No policy violations were found. Sgt. spoke with RP.
1/29/2022	7/7/2022	158	Performance	RP was unhappy with how an officer handled a call for service in a domestic dispute. RP felt the officer was intimidating and failed to take into account the domestic violence concern during the call.	Review of the body cams found that the officer failed to de-escalate the incident with RP and did not communicate effectively with RP. Sgt. spoke with the officer about the incident and attempted to reach RP who did not return voicemails.
1/27/2022	2/18/2022	21	Performance	RP reported that officer did a lot of damage to his vehicle during a search.	Review of the incident found that the search was conducted per policy and was thorough in compliance with a search warrant; no unusual damage or policy violations were found.
1/31/22	2/7/22	7	Courtesy Dismissed: Employee not Identified	RP reported an officer who was rude to a restaurant employee when asked to mask up. RP also felt the other officers should have said something to the rude officer.	Dismissed: Employee not Identified

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1/31/2022	3/3/2022	33	Inquiry	RP felt call takers asking questions about jury duty and coming to get his guns were inappropriate while he was trying to make a report.	Supervisor listened to RP's calls to the call center and did not hear any such comments made by call takers. Call takers were professional and moved RP's concern along to dispatch.
2/1/2022	7/1/2022	150	Incident Review Dismissed: Timeliness	RP reported an incident about an alleged illegal vehicle search from 2020.	Dismissed: Timeliness
2/1/2022	8/15/2022	194	Incident Review	RP reported in incident in which an officer appeared to push a bystander who appeared to be unhoused.	Review of body cam found that the officer was conducting an investigation and the bystander had been repeatedly asked to move back to the sidewalk to observe. The officer reached out and touched the bystander to encourage movement toward the sidewalk. No policy violations were found.
2/2/2022	7/1/2022	149	Incident Review Dismissed: Timeliness	RP alleged that an officer lied on a 2019 affidavit.	Dismissed: Timeliness
2/2/2022	4/4/2022	62	Performance	RP alleged an officer used excessive force after escalating an incident in which RP was standing near a woman urinating on the sidewalk.	Review of body cam found that the use of force was within policy, but the officer was coached on using de-escalation techniques. RP did not agree to speak with Sgt.
2/2/2022	3/17/2022	45	Inquiry	RP felt it was odd that a calltaker's supervisor called him to tell him not to call CAHOOTS but to call White Bird, since they had not spoken about CAHOOTS.	Review of the call found that RP was confused about the conversation and had requested CAHOOTS at the time of his call, when it appeared that it would be a lengthy wait for CAHOOTS the supervisor had called RP to advise that information.
2/1/2022	2/15/2022	14	Inquiry Dismiss: Other	RP inquired into a 2015 report that did not name EPD.	Dismiss: Other
2/4/2022	4/18/2022	74	Performance	RP was upset that an officer followed him down a hallway in his home when he went to retrieve documents.	Sgt. reviewed body cam and incident reports and found RP had called for help with a restraining order issue. The officer followed best safety practices when he followed RP due to the officer not knowing if RP would return with a weapon. The officer followed training and no policy violations were found. RP did not return calls to discuss the incident.
2/4/2022	3/7/2022	33	Inquiry	RP was unhappy with how a call about her missing daughter was handled.	Sgt. found that the call was processed correctly and then moved to a detective when RP called back with more details. An officer then located and reached out to the daughter (an adult) who indicated she was ok. Sgt. spoke with RP.
2/4/2022	3/30/2022	56	Inquiry	RP reported a third party incident in which officers were biased and negative towards RP's employee who is from an different religious and ethnic background.	Body cam review showed the officer did a through investigation of the incident and calmly and professionally explained to RP's employee what was happening and how the situation would be resolved. Sgt. spoke with RP about the findings.

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1/30/2022	3/3/2022	33	Incident Review	RP alleged that an officer stopped her and questioned why she was driving an unregistered vehicle that he had stopped the previous day. The officer was aggressive in manner and demanded she drive to her husband's work place and tell him the car should not be driven. The officer then followed her but did not stop when she reached her husbands work.	Investigation found that no EPD vehicles were in the vicinity of the stop. Security cameras from nearby businesses did not show RP's vehicle or a police vehicle in the area. Sgt. spoke with RP about the findings.
2/8/2022	3/22/2022	44	Performance	RP has decided to go through with pressing charges in an incident and has been unable to get a hold of the responding officer to go forward.	Sgt. contacted RP to move the report forward and answer questions about the process.
2/10/2022	2/23/2022	13	Inquiry Admin. Closed	RP alleged that some money went missing during an arrest.	Administratively closed pending further information
2/14/2022	2/24/2022	10	Performance	RP alleged an officer did an illegal U-turn pulled in behind him and laughed.	Sgt. was unable to identify an officer who may have pulled an illegal U-turn at the time RP specified. RP did not return calls.
2/14/2022	4/13/2022	59	Incident Review	RP's were upset that officers cited them multiple times in one day for suspended tags and illegal parking.	Sgt. found that the officers did give citations to vehicles who not moved out of 3 hour parking spaces after 3 hours. Vehicles with suspended tags were also cited. No policy violations were found.
2/13/2022	3/28/2022	45	Policy	RP was upset that an officer sent to document a hate crime (graffiti of a swastika) did not immediately take care of the symbol but instead sent a work request to Public Works.	Sgt. found that the officer followed policy in documenting the incident and then submitting the public works order. RP will contact City Council to see if the policy can be changed.
2/16/2022	4/21/2022	65	Performance	RP was unhappy with how an officer handled an issue with a motorist and motorcyclist disagreement. RP believed the motorist should have been cited.	After review of body cam Sgt. agreed with how the incident was handled by the officer. Sgt. spoke with RP who asked to submit a GoPro video about the interaction, as of closing of the complaint the RP had not submitted the video.
2/18/2022	3/3/2022	15	Inquiry Dismiss: Alternate Remedy	RP feels officer were heavy handed in her arrest for trespassing at the Municipal Court.	Dismiss: Alternate Remedy
2/18/2022	3/3/2022	15	Inquiry Dismiss: Other	RP wonders if EPD working with the Sheriff's Officer (outside their Jurisdiction) was meant to harass her.	Dismiss: Other/No policy violations following Auditor review .
1/26/2022	3/4/2022	38	Inquiry	RP feels misled by officers in regard to open police cases against her and her and a boyfriend.	Review of body cams, police reports and interviews found no policy violations by the officers. RP was told that the case would be sent to the DA when completed. Sgt. spoke with RP about the findings.

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2/23/2022	3/14/2022	21	Inquiry	RP was upset that officers did not take her theft report seriously, and that a trainee took her report.	Sgt. spoke with RP about her concerns and noted no policy violations.
2/28/2022	3/28/2022	28	Service Level	RP was upset that a client was not contacted by CAHOOTS as requested.	Review of the CAD details showed that the call taker triaged the call correctly and that due to CAHOOTS' call load it was some time before contact could be made. CAHOOTS made phone contact with RP's client and cleared the call. A supervisor explained their findings to RP, who understood.
2/17/2022	3/4/2022	17	Inquiry Dismissed: Employee no longer employed	RP alleged that a client of her in-home massage business was an EPD employee who offered pay for illegal activities.	Dismissed: Employee no longer employed
2/24/2022	4/6/2022	42	Incident Review	RP's alleged EPD officers used excessive force during an arrest at the Municipal Court and while clearing the court of trespassers.	Review of body cams showed that the RPs disregarded orders to exit the courthouse; officers then formed a line and removed RPs from the courthouse by walking toward them until they were out the door. Review showed no evidence of excessive force.
3/1/2022	6/1/2022	90	Performance	RP felt officer did not handle their assault correctly. The officer also confiscated RP's dog after he was arrested.	Sgt. reviewed police records, and body cams. RP was arrested after an altercation with others in which he was the aggressor according to witnesses. Officers had probable cause for the arrest; they also observed RP abusing the dog during the arrest. Sgt. spoke with RP about the findings.
3/1/2022	4/6/2022	35	Performance	RP was unhappy officer showed up to his door accusing him of harboring a suspect in a home invasion.	Sgt. reviewed details of the incident and found that RP's address was the one given to dispatch for an alleged home invasion. The address was later updated by the caller. No policy violations found. RP did not return calls to speak about the incident.
3/3/2022	3/8/2022	5	Policy	RP was unhappy that EPD spends money on feel good TV spots.	Forwarded to chain of command, who noted the advertisement was approved for recruitment purposes. The opinion was noted.
3/7/2022	6/7/2022	90	Performance	Supervisor failed to direct a subordinate to report a citizen complaint to the Auditor's Office within 24 hours as required by code.	Deputy Chief spoke with the supervisor about expectations of EPD and of the city code.
3/8/2022	4/7/2022	29	Policy	RP inquired into why EPD forms do not include a nonbinary option.	Sgt. spoke with the Department's IT personnel and found that changes to the forms were in the works. RP was pleased about the change.

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3/10/2022	4/13/2022	33	Performance	RP was unhappy with how a stolen, illegally parked motor home issue was handled by EPD.	Review of the incident found that Parking Services had tagged the vehicle for towing and before that happened it was pushed onto private property. When officers investigated the stolen motor home, and found it stripped, the owner declined to have it towed and officers did not have authority to have it moved from private property. RP was unhappy with the outcome.
3/11/2022	4/5/2022	24	Incident Review	RP feels EPD is not taking seriously a situation in which his sibling feels unsafe in his home.	Review of the incident found that officers did a thorough job of investigating the issue with RP's sibling. No criminal behavior was found and some of the issues were civil. Sgt. spoke with RP about the findings.
3/15/2022	3/29/2022	14	Inquiry	RP was annoyed that an EPD vehicle was parked with its siren intermittently activated and lights going for over an hour.	Review of the incident found that officers were searching for a hit and run suspect with a K9 officer. Using visual and intermittent audible signals was within policy.
3/15/2022	4/13/2022	28	Performance	RP was unhappy with an officer who she believed delayed releasing a report which caused a delay for getting custody of her granddaughter.	Sgt. learned that the officer had tried to explain to RP that the criminal report and DHS moving forward with the custody were separate issues, but RP was still unhappy. Sgt. spoke with RP to explain that DHS was the authority for placing the child and that the officer had no say in the matter.
3/17/2022	8/4/2022	137	Policy Dismissed: Timeliness	RP inquired into why a body cam wasn't labeled Evidentiary Value. The case originated in 2020.	Dismissed: Timeliness
3/16/2022	3/21/2022	5	Inquiry Dismiss: Other	RP reported an officer who faked kindness in an interaction, when in the past the officer had been rude and unprofessional.	Dismissed: Other
3/18/2022	5/2/2022	44	Performance	RP felt an officer did a poor job of documenting in the police report a physical altercation RP had with a neighbor.	Review of body cam and police report showed the officer conducting a professional investigation and then citing the other party. The report was consistent with body cam and the Sgt. agreed with the charging decision. RP did not return calls to discuss the incident.
3/18/2022	5/18/2022	60	Performance	RP was frustrated with how EPD was handling their restraining order issue and their stolen vehicle report; RP was concerned that neither seemed to make it to the DA.	Review of the issue showed that a police report was taken and filed for the vehicle, but most of the problems RP needed to resolve were a civil issue that he would need to handle in civil court. Lt. contacted RP with the findings.
3/10/2022	3/21/2022	11	Other Dismissed: Other	RP submitted a letter to inform law enforcement that he is the only contact for making welfare checks on his parents.	Dismissed: Other

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3/20/2022	4/22/2022	32	Performance	RP was unhappy with an officer who made personal contact at her home when she had only called to document a violation of a civil no contact order.	Sgt. found that someone calling into EPD on a civil contact order is unusual and an officer was appropriately dispatched to this call. Body cam showed that officer was professional and determined no criminal issue had occurred. Sgt. spoke with RP about the confusion and answered RP's further questions.
3/21/2022	5/17/2022	56	Policy	RP is frustrated with the poor response to illegal parking near her workplace. Vehicles marked to be towed are not getting towed in a timely manner.	Lt. contacted RP about limitations EPD has in towing vehicles during hours parking services is not on duty. New employees are being brought on board and the situation should improve soon.
3/24/2022	3/28/2022	4	Performance Dismissed: Outside Jurisdiction	An anonymous RP reported a social media video of a city employee making remarks about homelessness.	Dismissed: Outside Jurisdiction
3/25/2022	5/11/2022	46	Policy	RP inquired why it took so long for EPD to take her report about a suspicious man near her storage unit.	Supervisor found that RP had originally left the area she had called from and then did not answer her phone. Due to voicemail not being set it took a couple of days for an officer to connect with RP to take the report.
3/25/2022	5/10/2022	45	Performance	RP felt it was taking a long time to get a check from the Evidence Department for cash that was taken from her son at his arrest.	Supervisor found that each step of the process for release of funds was taken and documented by employees, including release from the DA's office, release from the RP's son, two paperwork reviews and sending the authorization to City Finance. Shortly after RP filed the complaint the check was issued by the city.
3/25/2022	4/6/2022	11	Inquiry Dismissed: Timeliness	RP inquired into an incident regarding her daughter from 2020.	Dismissed: Timeliness
3/28/2022	4/22/2022	24	Performance	RP was confused that an officer showed up at his home demanding he look for a friend's belongs in his home. RP felt it was a civil issue.	Sgt. found that an officer had been dispatched for a report of a theft, after conversation between RP and the officer the items were found and no further follow up was needed. The officer did advise RP and his girlfriend that future contacts with the person who reported the theft could become harassment. No policy violations were found. Sgt. contacted RP with the findings.
3/30/2022	5/25/2022	55	Incident Review	RP reported that an EPD detective was investigating him and disregarding his civil rights. RP also mentioned issues with other agencies.	Review of the officer's involvement with RP showed only a filing of a theft report. After that the officer had been moved to another position and was no longer investigating and had no further contact with RP. No police violations were found.

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3/30/2022	6/1/2022	61	Service Level	RP reported various issues he reported to EPD in which he felt the service was lacking.	Sgt. reviewed calls for service by RP and found one regarding damage to his car window (hit and run) was handled within policy. The second issue regarding a theft of services and RP's mother. The Sgt. reviewed the issue and the background of other party and was able to forward the situation to the DA.
4/1/2022	4/15/2022	14	Inquiry Dismissed: Previously Reviewed	RP was unhappy with the service provided when she tried to report murder, rape and torture crimes against her.	Dismissed: Previously Reviewed
4/6/2022	5/12/2022	36	Service Level	RP was unhappy that he was unable to get EPD to dispatch CAHOOTS or an officer in a timely manner.	Review of the incident found that RP called for an issue that was not life threatening. 15 CAHOOTS calls were holding. An officer was eventually dispatched and was unable to locate the person. No policy violations were noted. Supervisor contacted RP with the findings.
4/8/2022	4/15/2022	7	Inquiry	RP reported that an officer may have conducted herself inappropriately by calling her juvenile daughter about a Criminal Mischief issue.	Review of the incident found that the officer was conducting an investigation of a Criminal Mischief incident and no policy violation were found. The contact was to inform the juvenile of a no contact agreement with the other party.
4/10/2022	4/28/2022	18	Incident Review	RP reported to Lane County Corrections that an EPD officer who arrested her had raped her .	During an intake interview, RP denied any sexual contact with an EPD employee. Closed pending further information.
4/7/2022	7/7/2022	90	Incident Review	RP alleged EPD officers used excessive force, tasing him and using mace during a traffic stop.	Officers pulled the driver over for a warrant, when drugs were seen in the vehicle RP as asked to exit the car. RP refused and began to resist arrest. No policy violations were found. RP was notified of the findings.
4/12/2022	5/26/2022	44	Incident Review	RP reported an incident in which he was stopped by EPD for speeding, and then at gun point accused of driving a stolen U-Haul that his wife had rented. RP also added this incident had racial overtones.	Review of the incident found that an officer made a speeding stop and then was informed the vehicle came back stolen. Officers conducted a high risk stop and detained RP. Once the matter had been looked into, it was determined that RP's wife and U-Haul had miscommunicated and the issue was civil. RP was cited for speeding and released. No policy violations were found. The officer conducting the stop was behind the U-Haul van and could not observe RP's racial identity until the stop.
4/12/2022	4/19/2022	7	Inquiry Dismissed: Other	RP complained via Facebook noted he didn't want employees to profile him off his car and how he looks.	Dismissed: Other No specific complaint by RP.

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4/13/2022	5/10/2022	27	Discrimination	RP was approached by two volunteers who he felt were pretending to be cops and who hassled him because he was black and parked in a parking lot at the bus station.	Review of the incident found that the volunteers approached a vehicle without plates that had been parked in the lot for two days, to check if anyone needed aid. They did not see the person inside, who was under a blanket until they approached the vehicle. No policy violations were found.
4/15/2022	5/5/2022	20	Incident Review	RP reported to another agency that she had been raped by an arresting officer.	Body camera and in-car video recorded the entirety of RP's contact with the officer and showed that nothing improper occurred. IA consulted with the Auditor and they agreed to close the complaint.
4/19/2022	5/2/2022	13	Performance	RP was concerned a hit and run incident was not investigated properly.	Sgt. found that the officer had followed up with the information provided by RP, but was unable to obtain useful information to collaborate RP's hit and run claim. RP did not return Voicemail.
4/19/2022	5/16/2022	27	Inquiry	RP felt an officer had harassed him while in the downtown area.	Body cam review showed the officer being professional and polite while speaking with RP. RP has a exclusion from the area in place and was being asked about his presence in the area. No policy violations.
4/20/2022	4/21/2022	1	Inquiry Dismissed: Timeliness	RP reported being unhappy with how a crash report was done in 2020.	Dismissed: Timeliness
4/21/2022	6/13/2022	52	Conduct	RP reported an officer who used the bike bridge as a short cut to get a coffee and then tried to ID her husband when he called the officer on it.	Sgt. spoke with the store manager who stated he had not witnessed any altercations between police and a citizen in the shop. Sgt. asked for video from the store but did not receive it in a timely manner; the complaint was closed pending further information.
4/21/2022	6/13/2022	52	Service Level	RP is unhappy that animal control failed to cite the owner of an unsupervised dog that was roaming his neighborhood.	Cpt. spoke with the RP and directed animal control to address the issue and cite the offending neighbor.
4/22/2022	6/13/2022	51	Inquiry	RP felt harassed by officers while standing on a public sidewalk and complained that officers refused to provide their names.	Review of body cams found that RP was illegally drinking and smoking marijuana on a public sidewalk and refused officers' requests to leave. RP was issued a citation and both officers provided their names.
4/22/2022	8/4/2022	102	Incident Review Dismissed: Timeliness	RP inquired into discrepancies in an officers statement in a police report from 2020.	Dismissed: Timeliness
4/25/2022	6/1/2022	36	Inquiry	RP's vehicle was towed by an officer when it easily could have been pushed to the side of the road. It was a week before RP found where the vehicle was.	Review of body camera video showed the officer had verified with RP about the tow and had taken the extra step to transport RP to the tow company to retrieve his house keys and to his home afterwards.

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4/25/2022	5/26/2022	31	Performance	RP reported an EPD vehicle speeding down a residential street with no lights or sirens, nearly running over her cat.	Sgt. was unable to identify an officer who may have been in the area. Two calls that evening would have generated an emergency response. Sgt. spoke with RP about the findings who was still unhappy about the issue.
4/25/2022	6/3/2022	38	Performance	RP was upset that an officer spoke with his juvenile son when RP was not at home and appeared to extend a threat from a third party to his son.	Review of the officer's body cam showed the officer had mentioned the other party to RP's son but the conversation was not presented as a threat. The situation was handled by the officer within policy. The Sgt contacted RP with their findings; RP was pleased to know the situation was different than they believed.
4/25/2022	5/16/2022	21	Performance	RP reported a police vehicle that was being driven erratically.	Review showed that the officer was monitoring a confusing and convoluted pursuit by another agency. Sgt. spoke to RP and explained the unusual driving.
5/2/2022	5/26/2022	24	Service Level	RP complained that EPD was incompetent in finding the truth or charging those who were filing false complaints about him.	Due to RP not providing specifics of his issue and not returning calls from the Sgt. this complaint was closed for lack of information.
5/2/2022	5/5/2022	3	Policy	RP complained that it took too long for them to report a traffic light problem through either the nonemergency line or the EPD website.	Supervisor responded to RP about the quickest way to report such incidents.
5/3/2022	5/9/2022	6	Inquiry Dismissed: Other	RP believed officers did not do their duty when investigating a suspicious device.	Dismissed: Other. OIPA review found no policy violations.
5/4/2022	5/25/2022	21	Inquiry	RP reported an officer did not view security that proved RP was assaulted.	Sgt. reviewed the incident and found that the officer did a thorough investigation, and found no probable cause that an assault took place. The officer was unable to view the video because it was the middle of the night. Sgt. was able to access the video and found no assault took place. Sgt. coached the officer in going forward having a day shift officer request the tape.
5/5/2022	5/11/2022	6	Inquiry	RP was upset that call takers would not dispatch an officer to cite people who were illegally going around a school bus, even though RP had video of the vehicles.	Sgt. contacted RP to explain ORS 810.410 with requires officers to observe the traffic violation in person in order to issue a citation.
5/6/2022	5/26/2022	20	Courtesy	RP reported an officer who was rude and treated RP with disdain.	Review of body cam video found no rudeness on the part of the officer. RP has not returned the supervisor's calls.
5/9/2022	5/11/2022	2	Inquiry	RP inquired into EPD officers he has observed speeding without sirens or lights.	Sgt. emailed RP with the explanation that at times officers respond to issues without lights and sirens depending on the call. Sgt. also emailed Patrol Supervisors requesting they take a minute to remind officers to operate vehicles in a safe manner.

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5/9/2022	5/25/2022	16	Incident Review	RP alleged officers busted down his door, drugged, raped and arrested him for misuse of 911, while he was working with the FBI.	Sgt. reviewed body cam and police reports of the incident. None of the alleged actions took place. EPD was granted an warrant for the arrest as RP had called the 911 line 150 times in a 6 hour time span.
5/9/2022	6/27/2022	48	Inquiry	RP was concerned about EPD officers using aggression rather than diplomacy when responding to a campus party.	Cpt. reviewed the records and body cam of the incident and found that as officers were leaving the party an intoxicated male blocked the path of a patrol vehicle. When officers went to detain the man a struggle ensued and the man struck an officer in the face. The man was arrested for disorderly conduct. RP did not return the supervisor's calls.
5/10/2022	5/26/2022	16	Service Level	RP was frustrated with no help with the homeless camping and trespassing issues near his place of business and felt call takers made him feel like he was wasting their time.	Supervisor reviewed RP's calls to the non-emergency number and found the calls were handled politely by the call taker. Supervisor spoke with RP about his concerns.
5/13/2022	6/14/2022	31	Inquiry	RP was concerned for officer safety after observing two officers cross railroad tracks after the gate had went down.	Sgt. was able to identify the officers in question and cautioned them about the incident. Sgt. spoke with RP about his discussion with the officers.
5/16/2022	6/15/2022	29	Policy	RP expressed concern that EPD officers were driving around at dusk and dawn without head lights on.	Sgt. forwarded an email to Patrol Supervisors asking that they discuss safe driving practices with their officers.
5/16/2022	7/5/2022	49	Policy	RP was concerned that EPD released the names of people cited in in the campus area. RP feels like it is bragging and showing off, when these people haven't been to court yet.	Supervisor spoke with RP about Public Records law and what EPD is allowed to release to the public.
5/9/2022	7/6/2022	57	Performance	RP was unhappy with how an officer did an investigation into her assault.	Supervisor reviewed body-worn video and determined that the officer did a thorough investigation. RP did not return voicemails to speak with the Sgt.
5/17/2022	7/18/2022	61	Service Level	RP alleged EPD did not respond to her request for a public records exemption to release body cam video.	Supervisor found that EPD had responded to RP and also provided information on how to appeal and how the court process worked for obtaining records.
5/17/2022	6/13/2022	26	Service Level	RP is unhappy that EPD had not acted on her reports of a neighbor misusing a handicap parking permit.	Supervisor reviewed RP's calls and contacted her to relay what actions EPD could take in the situation.
5/18/2022	6/28/2022	40	Courtesy	RP reported being cited for park violations and given 10 minutes to move her belongings. RP also complained that one of the officers was rude and disrespectful.	Sgt. reviewed body cam of the interaction and determined that one of the officers should have taken time to gather more information from RP. RP had friends on the way to gather her belongings which resulted in Park employees having to store RP belongings. Sgt. spoke with the officer about expectations and with RP about the findings.

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5/12/2022	5/19/2022	7	Performance Dismissed: Other	RP commented on social media that EPD was not taking reports.	Dismissed: Other No contact info to verify complainant's concern.
5/18/2022	5/25/2022	7	Inquiry Dismissed: Outside Jurisdiction	RP reported an incident involving an outside agency.	Dismissed: Outside Jurisdiction
5/19/2022	6/16/2022	27	Performance	RP reported an officer who failed to stop at a pedestrian crosswalk.	Employee could not be identified. Sgt. spoke with RP about the issue and sent an email to Patrol to remind officers of safe driving practices.
5/20/2022	6/1/2022	11	Inquiry	Auditor-initiated examination of EPD's use of force on a person who was believed to be trespassing.	Body cam of the incident found that the suspect wrestled with officers during handcuffing, and the force appeared to be within policy.
5/20/2022	5/25/2022	5	Service Level Dismissed: Other	Anonymous complainant was concerned EPD targeted UofO students with party enforcement, but allowed the homeless issues in front of her son's home to run rampant.	Dismissed: Other - unable to determine any involved employees.
5/23/2022	6/13/2022	20	Conduct	RP was upset that she and her friends were not Mirandized during a person stop for Minor in Possession.	Sgt. reviewed body cam of the stopped and found that the officer had probable cause to make the stop and cited one individual for Minor in Possession. This type of citation does not require a citizen to be Mirandized (<i>Miranda</i> warnings are only required for custodial interrogations). No policy violations found. Sgt. spoke with RP about the stop.
5/23/2022	6/13/2022	20	Inquiry	RP was unhappy with how an officer wrote his report on her assault.	Lt. reviewed the report and body cam and found that the officer had used the wording given to him by a witness. Lt. spoke with RP.
5/25/2022	7/21/2022	56	Courtesy	RP felt a call taker could not clearly explain a scam issue and would not answer yes and no questions. RP was also placed on hold numerous times during the contact.	Review of the call found that the call taker was polite and professional with RP and tried to explain in various ways the issue at hand. Supervisor spoke with RP about the findings, and explained about the 911 center also answering non-emergency calls.
5/25/2022	6/13/2022	18	Performance	RP alleged that EPD officer arrested her husband of with no legal probable cause for theft.	Review of the incident showed that the officer had probable cause to support the arrest, including store security camera video and witness statements. Lt. spoke with RP and her husband about the findings.
5/16/2022	6/2/2022	16	Inquiry Dismissed: Other	RP claimed to be an officer from another jurisdiction and indicated an EPD officer may have been on a porn site.	Dismissed: Other Auditor's Office could not credibly verify any of the information provided. RP did not respond to email request for further info.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
5/26/2022	6/2/2022	6	Use of Force Dismissed: Supervisor Reviewed	RP believed officers used excessive force to detain her.	Dismissed: review of video showed that no policy violation had occurred.
5/27/2022	7/21/2022	54	Service Level	RP felt an officer did a poor job investigating an incident about the killing of a cat. RP also was upset that the officer used age as a descriptor in the report.	Sgt. reviewed body cam and reports and found that the officer did a thorough investigation but found no probable cause for an arrest. The Sgt. did find that the officer used age as a descriptor in the report, which had no bearing on the facts of the report. Sgt. spoke with RP about his findings.
5/27/2022	7/14/2022	47	Discrimination	RP felt an officer only cited him for illegal parking because he had dread locks and tattoos.	Sgt. was unable to identify the officer involved, and the court had no record of the citation number provided by RP. RP did not respond to voicemails left by the Sgt. The complaint was closed pending further information.
5/27/2022	6/13/2022	16	Service Level	RP was upset that it took over 20 hours for an officer to call her about a dispute with her neighbor.	Review of the call for service found that at the time of the call RP was not in danger and the call was placed in the queue for first available officer. Sgt. spoke with RP about the issue and told RP if the neighbor continues to harass her and she is in danger to contact the police immediately.
6/1/2022	6/2/2022	1	Service Level Dismissed: Outside Jurisdiction	RP reported to the Mayor's Office concerns about an incident involving a different jurisdiction.	Dismissed: Outside Jurisdiction
6/2/2022	8/4/2022	62	Courtesy	RP was upset that an officer had been hanging around his apartment complex and knocking on his door.	Review of the incident found that the officer had been dispatched to a restraining order violation and the RP had not answered the door, the officer had to return at another time to speak with RP who once again did not respond to the door. No policy violations found. Sgt. spoke with RP.
6/2/2022	6/6/2022	4	Inquiry Dismissed: Timeliness	RP reported an issue with EPD that she had in 2016.	Dismissed: Timeliness
6/3/2022	7/18/2022	45	Inquiry	RP was unhappy with how a call for service about his dispute with another party was handled.	Review of reports and body cam showed the officer had probable cause to cite RP for criminal mischief. The number provided by RP was disconnected. No policy violations were found.
6/2/2022	6/7/2022	5	Incident Review	RP alleged EPD officers injured his shoulder and stomach when they pulled him out of his car during an arrest.	Review of body cam of the arrest showed RP was stopped in a stolen vehicle and refused to exit. Officer's pulled RP from the vehicle with no reportable use of force and placed him on the flat roadway. It was also noted by the Sgt. that RP admitted to doctors at the ER that he had been hit by a car two weeks previously. No policy violations found.

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6/3/2022	8/24/2022	81	Service Level	RP is concerned that EPD will not arrest her ex, who has been trespassed from the property.	Sgt. learned that each time officers were called to RP's home they found no probable cause for an arrest due to the ex still having residency in the home. No policy violations were found. Sgt. spoke with RP about their findings.
6/7/2022	6/22/2022	15	Service Level	RP did not hear back from an officer to take a report about a transient male who refuse to get leave her trash receptacle alone.	Sgt. learned that the officer had not received a notification of RP's voicemail. Sgt. spoke with RP about the oversight.
6/7/2022	6/28/2022	21	Incident Review	RP was unhappy with how a domestic dispute was handled by officers. RP felt ill treated by officers who did not listen to her side of the incident, and didn't check on her well being before arresting her.	Sgt. reviewed police reports and body cam of the incident. The officers did a thorough investigation, speaking with both parties and a witness and identifying probable cause for the mandatory arrest of RP. Officer also asked if RP need to see EMT's. No policy violation was found. Sgt. spoke with RP about the findings.
6/8/2022	6/14/2022	6	Inquiry Dismissed: Employee not identified	RP reported an officer who failed to cite a person towing a child in a cart without a helmet on.	Dismissed: Employee not identified
6/9/2022	7/22/2022	43	Service Level	RP reported that a call taker failed to help her when she called about an attack by her caregiver.	Supervisor reviewed the call and found that the call taker should have clarified the details of the call before sending RP to the non-emergency line. Supervisor spoke with RP about the findings.
6/11/2022	10/5/2022	114	Performance	Internal examination in whether an officer failed to follow a supervisor's directions.	Review of body cams and reports found that the supervisor's directions were not accurately relayed to the officer by another employee. The incident did not rise to the level of insubordination.
6/15/2022	8/11/2022	56	Performance	RP was dissatisfied with an investigation and the follow up with witnesses.	Sgt. reviewed the investigation and found that the officers assigned have done due diligence in trying to contact witnesses, and a through job to this point. Sgt. spoke with RP about where the investigation stands.
6/2/2022	6/24/2022	22	Service Level	RP reported a detective who had not returned her phone calls.	Sgt. spoke with RP about her concerns about the case, and explained that the detective had been out at a training and then vacation.
6/15/2022	7/27/2022	42	Conduct	A third party forwarded a concern from an RP who believed an officer was inappropriate when speaking with RP about RP's daughter.	Review of the incident showed that the officer had contact with RP regarding her daughter's mental health (no body camera footage was available). The RP informed the supervisor that she did not have a problem with the conversation.

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6/17/2022	7/22/2022	35	Policy	RP was concerned that EPD was not taking enforcement action regarding vehicles with expired plates in RP's neighborhood. RP photographed over 30 parked and driving vehicles with expired plates in a 30 minute period.	Sgt. spoke with RP about the concern and forwarded an email to the Traffic Safety Team, Park Officers and Housing Support Officers asking them to focus on the issue in RP's area.
6/17/2022	7/21/2022	34	Performance	RP felt an officer did a poor investigation and follow up of a dispute with her neighbor and has not responded to RP so further information could be submitted.	Sgt. review of the report and body cam found that the officer did a thorough job of investigating the dispute and found no probable cause for an arrest or citation on the part of either party. No policy violations were found. Sgt. spoke with RP.
6/18/2022	9/7/2022	79	Performance	RP was unhappy with how an officer handled a call for service for a family dispute in which RP was struck with a vegetable can. No offer of medical help was offered.	Supervisor spoke with RP and involved employee; supervisor also reviewed video which showed that the officer had no legal authority to make the other party leave the premises. RP was examined by medics and advised to go to the ER. The Sgt. also noted that the officer could have used better verbal communication with RP and discussed the use of sarcasm with the officer.
6/22/2022	7/25/2022	33	Service Level	RP reported that a call to 911 by her elderly mother was not dispatched. A unknown person had been knocking on the door about 11:00 pm.	Review of the call found that the call taker followed policy in not dispatching the call due to the suspect having left the area. Supervisor felt the call taker could have dispatched the call due to the age of the caller and the apparent concern for safety felt by the caller. The supervisor could not follow up with the RP because their number was disconnected.
6/21/2022	7/21/2022	30	Courtesy	RP inquired into why a canine officer did not pick up after his animal who had defecated in RP's yard.	Sgt. spoke with RP about why officers during a search of a potentially dangerous suspect don't stop to pick up the waste. It can confuse the dog, taking the focus off the search.
6/22/2022	7/7/2022	15	Inquiry	RP was unhappy with how an officer handled a call for service during a child exchange in which she felt unsafe giving her child to her ex.	Review of body cam found that the officer handled the call within policy. The officer explained calmly that the parenting plan the court ordered needed to be followed, and that the situation was not criminal, but needed to go through the civil court if a change was needed. The Officer then oversaw the safe exchange of the child.
6/23/2022	8/12/2022	49	Performance	RP was concerned that after a call to 911 regarding a suspicious person outside a neighborhood market it took over an hour for a response.	Review of CAD found that the call was actually in LCSO jurisdiction. EPD was not involved. RP deleted the social media account used to report, so no follow up was conducted.

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6/23/2022	7/6/2022	13	Incident Review	RP felt an officer was biased against him due to his status in several protected classes and gave him a citation instead of a warning after being in the park only 10 minutes after hours closing hours.	Sgt. found that the park hours are posted at the entrance of the lot and that the officer was polite and professional giving RP information on city services that could help. RP was argumentative and indicated he would stay in another part of the park. The officer used his discretion to cite RP and not arrest him for a park violation. OIPA contacted the RP to explain the investigation findings.
6/23/2022	7/27/2022	34	Inquiry	RP expressed concern that her report of being assaulted was not documented in a report.	Sgt. reviewed CAD notes and body cams and found that the officer was unable to find any evidence of a break in or assault, RP claimed to have no memory of the incident. The call for service was documented in the CAD report, no basis for a police report was found.
6/25/2022	6/29/2022	4	Use of Force Dismissed: Outside Jurisdiction	RP reported a concern about an officer from an outside agency during a protest.	Dismissed: Outside Jurisdiction
6/25/2022	8/10/2022	45	Performance	RP was frustrated with how an officer was handling his hit and run case.	Sgt. found that the officer had been following up with the investigation and had been able to identify a suspect who he was trying to locate. This occurred within a two week span of time. RP did not return voicemails for an update on the case.
6/26/2022	7/21/2022	25	Incident Review	RP alleged an EPD officer refused to take her reports about sex trafficking. RP also believed an EPD officer was involved.	Sgt. reviewed the allegations made by RP who had initiated such complaints since 2016. In none of the complaints has RP been able to provide specific information to enable officers to investigate. RP did not provide sufficient information to move forward with an investigation.
6/27/2022	7/18/2022	21	Service Level	RP was concerned that EPD was taking too long with his company's theft report.	Review of the reports and investigation showed the officer had done due diligence on the incident entering 9 supplemental reports to the initial report. The officer was then out on active duty military status and planned to continue with the investigation upon his return. Sgt. spoke with RP about the status of the investigation.
6/28/2022	8/16/2022	48	Incident Review	RP filed a complaint about the use of force used during a protest at Dove Medical.	Internal Affairs reviewed all available video and reports related to EPD's response to the demonstration. Some miscommunications were noted, and OIPA discussed concerns about some crowd control tactics with EPD. However, no policy violations were noted.
6/28/2022	6/30/2022	2	Performance Dismissed: Other	RP was unhappy for being cited for having a child walking out on a busy freeway.	Dismissed: Other Preliminary review by the Auditor's Office found no policy violations.

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6/29/2022	8/2/2022	33	Performance	RP was upset at how a calltaker handled his calls regarding suspected mail thefts at the location he does maintenance.	Review of the call found that RP did not report a trespassing situation occurring at the time of the call. The call taker explained that those with stolen mail would need to report it. The call taker should have offered to document the issues in a Quality of Life No Dispatch(QLON) notation in the CAD record. Supervisor spoke with RP and with the call taker about the findings.
4/3/2022	8/15/2022	132	Policy	RP was upset at EPD's lack of enforcement relating to fireworks in the South Hills.	RP did not respond to calls from the Sgt. to discuss the issue. Sgt. did find out that due to short staffing no illegal fireworks calls for service were dispatched on July 4th.
7/5/2022	9/19/2022	74	Performance	RP was unhappy with how officers were handling their investigation.	Lt. reviewed the investigation and found that the officers had done a thorough look into the incident.
7/5/2022	7/21/2022	16	Incident Review	RP complained that officers had not arrested her boyfriend for assaulting her on 2 separate occasions.	Review of the incidents in question found that in the first call for service RP's boyfriend was arrested. In the second incident, officers did a thorough investigation but were unable to find evidence to support probable cause for an arrest. RP did not respond to calls to speak to the supervisor about the complaint.
7/5/2022	8/4/2022	29	Inquiry	RP was upset that EPD was not helping her with an ongoing stalking issue.	Review of the issue found that RP alleges the stalking but is unable to articulate any specifics about incidents, dates, times, identifying characteristic etc. EPD documents the contacts with RP but there is insufficient evidence to move forward with an investigation.
7/5/2022	9/6/2022	61	Inquiry	RP reported that an on-duty accident was not investigated within policy guidelines.	Sgt. reviewed the incident and found that the incident should have been followed up with more thoroughness. A report was made to supervisors about better practices for any future events. Sgt. spoke with RP about findings.
7/6/2022	7/11/2022	5	Performance Dismissed: Employee Not Identified	RP reported an EPD vehicle speeding through Junction City.	Dismissed: Employee not Identified
7/7/2022	8/18/2022	41	Inquiry	RP alleged that EPD did not respond to RP's records request.	Supervisor searched EPD records and found no records request from RP. Records employees reached out to RP and communicated how to place the request.
7/7/2022	7/13/2022	6	Inquiry Dismissed: Timeliness	RP was unhappy that an officer did not review a video that showed he did not commit the crime he was cited for.	Dismissed: Timeliness

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7/8/2022	9/7/2022	59	Performance	RP felt EPD missed an opportunity to make a great impression on kids, when no officer was dispatched to a dispute at the skate park.	Sgt. reviewed the call and found that due to call volume and no immediate threat, no officer was dispatched to the call. It was moved to Beat Info and an officer drove by later, but no incident was noted at the time. Sgt. reached out to RP to discuss the findings.
7/7/2022	7/13/2022	6	Service Level Dismissed: Other	RP reported that City Employees were pretending RP was dead and had kidnapped RP as an infant.	Dismissed: Other
7/11/2022	7/20/2022	9	Incident Review Dismissed: Alternate Remedy	RP felt a search warrant affidavit contained false information.	Dismissed: Alternate Remedy
7/12/2022	7/13/2022	1	Service Level Dismissed Timeliness	RP felt an investigation that happened 20 years ago was not followed up on. The DA did not see all the evidence.	Dismissed: Timeliness
7/13/2022	8/17/2022	34	Performance	RP was unhappy with the investigation of vandalism to her vehicle tires.	Sgt. reviewed the records of the investigation and RP's submitted video and found that the officer had done a thorough and professional job. Sgt. spoke with RP about the challenges of identifying a suspect with the evidence gathered so far.
7/14/2022	8/4/2022	20	Performance	RP was concerned that what she thought was a courtesy tow of her vehicle after an accident ended up costing money.	Review of the body cams found that the officer followed policy in having the tow initiated, unfortunately RP and the officer miscommunicated over what the tow entailed. Sgt. spoke with RP about the incident.
7/15/2022	7/20/2022	5	Service Level Dismissed: Other	RP reported a man screaming for help since February 5th at Alton Baker Park.	Dismissed: Other
7/19/2022	7/20/2022	1	Inquiry Dismissed: Timeliness	RP reported an incident from 2019 in which officers took possession of his trailer.	Dismissed: Timeliness
7/13/2022	8/11/2022	28	Inquiry	RP felt an officer was unnecessarily rough with a subject.	Review of body cam found that the subject who had been brought to the hospital by CAHOOTS was wandering dangerously close to the street and that the officer grabbed on to the subjects arm and pulled them from the street. No policy violation noted.
7/25/2022	8/30/2022	35	Disputed Facts	RP felt an officer used excessive force when they arrested her daughter.	Review of body cams found that RP's daughter threw herself onto the ground when officer took her arms to make the arrest. No force was used. Sgt. spoke with RP and explained the circumstances of the incident.

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7/25/2022	8/1/2022	6	Incident Review Dismissed: Alternate Remedy	RP reported that he was falsely arrested for DUII by an officer.	Dismissed: Alternate Remedy
7/28/2022	9/19/2022	51	Performance	RP reported feeling pressured by a supervisor about symptoms of her illness and whether or not she was able to return to work.	Supervisor reviewed the incident and provided supervisors training on back to work issues.
7/31/2022	8/15/2022	15	Policy	RP inquired into how to listen to EPD's police calls, scanners do not appear to work.	Cpt. Contacted RP and explained that EPD has moved to a encrypted scanner system, due to officer safety.
8/1/2022	8/2/2022	1	Service Level	RP is concerned that a prohibited camping issue in front of his rental home has gone unaddressed.	Review of RP's calls found that each call was handled appropriately, entered as beat or drug information. RP was directed correctly to the area to report camping issues. Supervisor touched base with RP who had also heard from Public Works and felt things were moving in the right direction.
8/1/2022	8/2/2022	1	Inquiry Dismiss: Outside Jurisdiction	RP made a generalized complaint about the Chief of Police.	Dismissed: Outside Jurisdiction
8/3/2022	9/8/2022	35	Courtesy	RP observed two officers speaking to a couple of people in a park and felt they were rude and harassing them for sitting there. A call taker refused to take a report.	Review of body cams found the officers speaking to a couple of people who had their belongings spread out over a large area. The couple were reminded of park rules against camping. No citations were given and the officer was not rude. The call taker directed RP to the Auditor's Office as was policy in the type of report he wanted to make.
8/5/2022	10/6/2022	61	Service Level	RP was unhappy with how difficult it was to make a fraud report.	Review of CAD found that EPD employees made 8 attempts over a two week period to take RP's report. Sgt. spoke with RP and assigned a specific CSO to take RP's report.
8/5/2022	8/30/2022	25	Inquiry	RP felt a CSO officer was unhelpful when RP reported the theft of a security light by her neighbor.	Supervisor reviewed the contact with RP and found RP might have video evidence but had not produced it. Without evidence there was no probable cause to move the report forward to patrol. Supervisor spoke with RP about the findings
8/5/2022	9/7/2022	32	Incident Review	RP believed that an EPD detective unlawfully confiscated the RP's wife's car and jewelry and other belongings.	Review of the incident found that each of RP's belongings were lodged and cataloged at Evidence Control in the proper manner and with warrants. No policy violation were found. RP refused to discuss the findings with the Sgt.

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8/11/2022	8/23/2022	12	Performance	RP was upset that an officer insisted he had to go to court to pay a citation when in fact he could pay on line or by phone.	Review of body cam found that during the traffic stop the officer tried to explain the citation and some of the court options for diversion or paying the citation. RP became upset and talked over the officer. The officer did tell RP that he needed to go to court to pay the citation. The supervisor learned that the court now has a new online system. The officer was informed of this and RP was contacted with the findings.
8/11/2022	8/30/2022	19	Performance	RP was upset that much of her property was not returned to her after her arrest.	Supervisor reviewed video of the arrest and found that all of RP's property was lodged at ECU except that which was prohibited. (Liquor, drugs etc.) Sgt. attempted to give RP information on filing a risk claim for items RP felt were missing and was unsuccessful.
8/11/2022	8/22/2022	11	Service Level	RP was upset that he was told that CAHOOTS would not be coming for his call for service.	Supervisor reviewed the records and found that CAHOOTS had notified 911 that they would not be responding due to having contacted RP several times. Call taker only relayed the message. No policy violations.
8/14/2022	8/24/2022	10	Inquiry	RP was unhappy that EPD would not enforce trespassing violations on his property.	Review of the calls for service found that RP called about situations where the trespasser (guests of a nearby B&B) were no longer on the property. Supervisor spoke with RP about the limits EPD has to enforce trespass with the suspect has left the property. RP was also referred to a patrol Lt. to speak about prevention ideas.
8/15/2022	9/16/2022	31	Performance	RP was unhappy about the investigation into his neighbor using water from his hose bib to water a plant, and the neighbor giving him Covid. He felt the neighbor should have been arrested.	Sgt. reviewed body cam of the investigation and found the officer did a thorough investigation that showed no probable cause for an arrest. Sgt. spoke with RP explained the investigation and findings to RP.
8/15/2022	9/16/2022	31	Performance	RP reported an officer driving down River Road erratically.	Review of Body Cam found the officer was responding to a call that was then disregarded. Sgt. spoke with officer about being conscious of driving practices and with RP about the findings.
8/16/2022	8/17/2022	1	Performance Dismissed: Timeliness	RP reported an incident from 2012 in which officers allegedly snickered at RP and then switched the statements from those involved.	Dismissed: Timeliness
8/20/2022	9/19/2022	29	Courtesy	RP reported an officer who was discourteous to him.	Review of the incident found that the officer did have a short comeback after RP made a comment. The Sgt. spoke with RP and the officer about the incident.
8/20/2022	10/22/2022	62	Performance	RP reported an EPD officer who made in illegal U-turn on Country Club Road.	Sgt. reviewed body cam and In-car-video of the car involved and was unable to find the reported incident. RP did not return emails to discuss the complaint.

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8/21/2022	8/23/2022	2	Performance Dismissed: Timeliness	RP was upset that an officer detained her instead of pursuing a suspect. The officer was disrespectful and dismissive.	Dismissed: Timeliness
8/21/2022	8/23/2022	2	Performance Dismissed: Timeliness	RP was unhappy with how officers handled the theft of keys and a wallet.	Dismissed: Timeliness
8/22/2022	8/24/2022	2	Service Level	RP was frustrated at being unable to get EPD to take a police report about stolen keys.	Supervisor found that due to patrol volume an officer was unavailable to take the report. Subsequent attempts to reach RP by an officer were unsuccessful. Supervisor spoke with RP and learned that RP had been able to get the keys back and a report was no longer needed.
8/22/2022	9/19/2022	27	Service Level	RP's numerous calls about a prohibited camping issue outside his rental home were being ignored by EPD.	Review of the calls made by RP to the call center found that the call takers listened and took the appropriate action for the information provided. No policy violations were found. Supervisor spoke with RP about the findings.
8/24/2022	9/19/2022	25	Service Level	RP reported another driver that was following his delivery van and after speaking with him the call taker hung up on him.	Review of the call found that RP was not articulating a crime was occurring, then at one point the call was dropped and the call taker continued to try and see if RP was on the line. It appeared it may have been a cellphone dead zone that hung up the call. The call taker called RP back to verify he was ok. Supervisor spoke with RP about the findings.
8/24/2022	8/30/2022	6	Service Level Dismissed: Other	RP was concerned with how officers handled a welfare check on RP's minor child.	Dismissed: Other Auditor's Preliminary review found no policy violations by officers.
8/25/2022	10/5/2022	40	Policy	RP inquired into why an EPD call taker could not tell him if a person RP was inquiring about had been contacted by EPD.	Supervisor was able to explain to RP that in most cases when a person is arrested EPD identifies the person, but not always if it is a medical call that the person is transported by EMT's. Also if a person is attended to by CAHOOTS EPD does not always get the person's name.
8/24/2022	11/23/2022	89	Performance	RP was unhappy with how a supervisor handled a concern about an animal abuse report RP had made.	Cpt. reviewed the incident and was able to explain that while RP was believed, there was not sufficient evidence to support probable cause for an arrest.
8/30/2022	9/7/2022	7	Incident Review Dismissed: Previously Reviewed	RP reported an incident from 2019 alleging excessive use of force	Dismissed: Previously Reviewed
8/31/2022	9/6/2022	6	Policy Dismissed: Outside Jurisdiction	RP reported an issue with a TSA employee.	Dismissed: Outside Jurisdiction

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9/1/2022	9/9/2022	8	Policy	RP expressed displeasure at the new Payroll Tax due to lack of response by EPD to illegal camping and part issues.	Supervisor forwarded the information to Patrol and Operation Support Captains.
9/1/2022	9/19/2022	18	Performance Dismissed: Timeliness	RP felt officers unfairly treated her as the aggressor in a family dispute.	Dismissed: Timeliness
9/6/2022	10/5/2022	29	Performance	RP felt officers did a poor job of investigating a restraining order issue RP reported.	Sgt. reviewed body cam and reports and found that the officer did a complete and thorough job of investigating the call for service and found no probable cause for an arrest or citation. No policy violations, misconduct or discourtesy was found.
9/7/2022	9/15/2022	8	Policy	RP inquired into whether her health information could be added to her EPD record.	Sgt. spoke with RP about how EPD is not allowed to add RP's medical information to their files due to medical privacy laws.
9/6/2022	11/28/2022	82	Conduct	RP reported an officer who required him to stand 30-40 feet away from a police action to record and at one point stuck a flashlight in his chest and pushed him back.	Review of body cam found that the officer did require RP to stand that far back and at one point moved RP back with a push to the chest. Sgt. did not feel that the incident was an officer safety issue and spoke with the officer about his findings. Sgt. also contacted RP.
9/8/2022	11/30/2022	82	Service Level	RP reported an incident in which her son called about a possible restraining order violation and he received no help from EPD.	An extensive review of RP's son's calls to EPD found no calls on the date and time of RP's concern. Supervisor advised RP of the findings.
9/9/2022	9/13/2022	4	Inquiry Dismissed: Other	RP felt an EPD call taker should have had a report taken of criminal issues at the Lane County Court instead of tell him to call his attorney.	Dismissed: Other Review by the Auditor's Office found no policy violations.
9/13/2022	9/19/2022	6	Inquiry Dismissed: Employee not Identified	RP reported a man who approached her vehicle in a parking lot said he was a police officer and lectured her on how to raise her children.	Dismissed: Employee not Identified
9/14/2022	10/26/2022	42	Service Level	RP felt an officer was unprofessional while investigating a stalking order.	Review of body cams and police reports found that the officer was polite, professional, and did a thorough investigation of the incident. RP did not wish to speak to the supervisor.
9/14/2022	9/19/2022	5	Service Level	An anonymous caller was concern about the drug dealing and menacing near River Road and Beltline, with no response by EPD.	Information about the complaint was forwarded to Communications Supervisors.
9/14/2022	10/5/2022	21	Courtesy	RP was upset that a call for service took 14 hours before an officer arrived to take the report.	Review of the call by Sgt. found that EPD had 175 calls for service during the time period. Due to RP's incident not being an active emergency the call was dispatched as soon as possible. Sgt. spoke with RP about the incident.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
9/14/2022	11/30/2022	76	Service Level	RP was unhappy that EPD did not dispatch an officer to a man walking through a park with a machete.	Review of the call for service found that the call taker discerned from RP's conversation that no criminal activity had happened. When RP heard that no officer would probably be dispatched he hung up. Supervisor felt that a beat information note could have been added. PR did not respond to Supervisor's call.
9/19/2022	10/17/2022	28	Service Level Dismissed: Outside Jurisdiction	RP was frustrated at the lengthy time for a response from Parking Services and the City to deal with illegal camping in his neighborhood.	Dismissed: Outside Jurisdiction
9/19/2022	11/2/2022	43	Performance	RP complained that an officer had not returned her calls to inquire about her theft of services case.	Review of police records found that the officer worked RP's case on the reported day and the next before going on days off. The officer then returned RP's call on his next day on shift. No policy violations found. Sgt. spoke with RP about the findings.
9/21/2022	10/5/2022	14	Courtesy	RP felt a call taker was unhelpful and rude when RP asked to speak with an officer on duty and not the officer assigned to his case.	Review of the call found that the call taker followed policy and was polite and professional with RP. The call taker then followed through by having a message forwarded to the assigned officer.
9/21/2022	9/23/2022	2	Inquiry Dismissed: Timeliness	RP complained that officers were unfair when investigating a neighbor dispute.	Dismissed: Timeliness
9/23/2022	9/26/2022	3	Policy Dismissed: Alternate Remedy	RP complained about officers' use of flash bangs for a warrant on RP's rental home. RP wanted information on reimbursement.	Dismissed: Alternate Remedy
9/23/2022	10/14/2022	21	Service Level	RP was unhappy with how long it was taking for a prohibited camping issue near her backyard to be addressed.	Lt. spoke with RP and found that the issue had been resolved. RP had made the complaint at the suggestion of a call taker to be a squeaky wheel. RP had no complaint against an individual officer.
9/23/2022	9/26/2022	3	Performance Dismissed: Timeliness	RP reported an incident that was never completed by EPD involving being assaulted by her neighbor.	Dismissed: Timeliness
9/23/2022	11/2/2022	39	Performance	RP was unhappy that an officer called her a liar and threatened her with jail over a noise complaint.	Review of body cam found that the officers approached RP's apartment being able to hear music in the parking lot. RP was warned that a noise ordinance violation can be an arrestable offense. RP yelled over the officers. Complaint was unfounded. Sgt. spoke with RP.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
9/24/2022	9/27/2022	3	Performance	RP was upset with a rude and snide comment made by an officer during the investigation of a dispute.	Sgt. reviewed body cam of the incident and found the officer had made such a comment. Sgt spoke with RP about the incident and with the officer about expectations of courtesy at all times.
9/27/2022	11/15/2022	48	Policy	RP was unhappy with an officer who investigated a domestic violence issue in which RP was a witness. Officer was rude and didn't want to hear what the witnesses had to say.	Review of body cam and police reports found that officers were trying to get a statement from the victim and were interrupted by RP and another witness, the officers needed the victim's information before speaking with the witnesses. The Cpt. found one comment from an officer that lacked empathy which was addressed. Cpt. spoke with RP about the incident.
9/27/2022	9/28/2022	1	Inquiry Dismissed: Other	RP felt an employee did not follow through with forwarding a concern to the Auditor.	Dismissed: Other Auditor's Office dismissed due to the issue that RP wanted forwarded was a police matter, not a complaint.
9/28/2022	9/28/2022	0	Inquiry Dismissed: Other	RP felt that a flag used by EPD in a video was offensive. EPD delivered poor service when RP complained.	Dismissed: Other. Insufficient information was provided to properly address the complaint.
9/28/2022	9/30/2022	2	Policy	RP claimed EPD did not follow policy in the disposal of RP's property.	Dismissed: Timeliness
9/28/2022	9/30/2022	2	Incident Review: Conduct Dismissed: Outside Jurisdiction	RP believed officers have harassed and slandered her.	Dismissed: Outside Jurisdiction
9/29/2022	12/7/2022	68	Inquiry	RP was unhappy that an officer did not cite a neighbor who sicced a dog on her.	Review of body cam revealed that the officer watched a video RP had made of the incident. There was no indication that anyone told the dog to attack RP. The officer had no probable cause to cite anyone which was explained to RP. Sgt. spoke with RP about the findings.
9/30/2022	11/15/2022	45	Inquiry	RP was unhappy that an officer called on the phone and delivered a no contact order with the threat of being arrested. RP does not believe that is legal.	Sgt. found that the officer had done a thorough investigation into a complaint about a customer that a business wanted no contact with. No policy violations were found and RP did not have voicemail set up to receive a call back to Sgt.
9/30/2022	11/2/2022	32	Inquiry	RP was concerned that EPD did not have officers posted at a Middle School the day after a gun threat was made.	Lt. spoke with RP about the investigation into the incident and why, due to staffing issues officers were not posted to the premises.
10/3/2022	12/21/2022	78	Incident Review	RP alleged officers used excessive force during a open container arrest.	Review of body cams found that the suspect resisted and dropped their body weight to the ground, but that no officer appeared to use excessive force.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
10/3/2022	11/23/2022	50	Courtesy	RP felt an officer had lectured her about an incident that had happened several weeks prior to the incident that was being looked into at the moment.	Review of the incident found that the officer had brought up the previous incident due to the effect it had on the person involved in the current incident. Sgt. spoke with RP who understood once clarified by the Sgt.
10/3/2022	10/19/2022	16	Inquiry	RP was concerned that officers had not place a mental hold on a person who was in danger of hurting themselves.	Review of the incident found that the officers were dispatched about the person various times and each time the person was not committing a criminal act, nor acting as if to harm themselves. A third call found the person running into traffic and officers were able to place a non-criminal hold and take the person to the hospital. Sgt. spoke with RP about the findings.
10/5/2022	10/19/2022	14	Service Level	RP is dissatisfied with the service EPD has provided in dealing with a drug house next door. The latest issue involved tires being popped and EPD did nothing.	Review of the incident found that the victim of the tire popping refused to press charges, which limited the investigation. Two people at the residence were arrested on warrants. Sgt. spoke with RP about what officers had been able to do during the incident.
10/10/2022	10/27/2022	17	Performance	RP reported officers left the gate to the church property open and unsecured after pursuing a suspect on to the church grounds.	Sgt. reviewed the incident and found that the final officer on the scene did leave the gate open after the arrest of the suspect. Sgt. spoke with the officer about the oversight and with RP about the findings.
10/9/2022	10/18/2022	9	Incident Review: Use of Force	Anonymous complainant alleged that EPD officers used excessive force by punching a man already in handcuffs during an arrest.	Review of Body cams found that no such force occurred during the arrest.
10/10/2022	10/18/2022	8	Inquiry Dismissed: Other	RP reported being illegally harassed by EPD via telecommunication equipment.	Dismissed: Other
10/10/2022	12/1/2022	51	Inquiry	RP reported a traffic violation by an officer.	Review of the incident found that the officer had crept into the intersection to turn at an unprotected left turn. No traffic violations were noted. Sgt. spoke with RP about the findings.
10/13/2022	10/31/2022	18	Courtesy	RP felt an officer was rude and spoke down to him during a traffic stop. RP also questioned why an officer from Eugene stopped him in Cottage Grove.	Sgt reviewed body cam of the incident in which the officer was stern and pointed with the driver while giving the driver a warning. Sgt. spoke with RP about the stop and also explained that Oregon officers have legal authority to take enforcement action anywhere in the state.
10/17/2022	11/15/2022	28	Inquiry	RP felt officers had profiled a black resident of her apartment complex after a couple of people showed up saying their stolen items were pinging at the complex.	Review of body cams found that information provided by the couple gave no identifiers except the apartment number. Officers were not aware of the race of the tenant. No policy violations were noted in the video. Sgt. spoke with RP about the findings.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
10/17/2022	10/24/2022	7	Incident Review: Performance Dismissed: Timeliness	RP alleged an inappropriate use of force by EPD officers in 2021.	Dismissed: Timeliness
10/11/2022	11/17/2022	36	Service Level	RP felt an officer was rude and unhelpful when he called about a noise complaint.	Lt. reviewed body cam of the incident and spoke with RP. RP conceded his issue was with the neighbors and the noise rather than the individual officer.
10/17/2022	10/25/2022	8	Inquiry Dismissed: Other	RP was unhappy with how officers handled a restraining order violation.	Dismissed: Other Auditor review found no policy violations
10/18/2022	10/21/2022	3	Performance Dismissed: Timeliness	RP was unhappy with how an investigation into mismanagement of funds was handled by a detective.	Dismissed: Timeliness
10/18/2022	11/22/2022	34	Policy	RP was upset that officers and EMT's showed up when CAHOOTS had been requested.	Review of the incident found that CAHOOTS was occupied with previous calls and the nature of the incident required that a faster medical response be dispatched. No policy violations were noted. RP did not return Supervisor's calls.
10/19/2022	10/31/2022	12	Performance	RP reported that after officers accessed her property to search for a suspect the officers left her gate unsecured.	Review of body cams found that the gate latch had been broken either by the suspect or the police. Sgt. spoke with RP about the incident and with the officers involved about securing property or making effort to contact the property owner.
10/19/2022	12/29/2022	70	Performance	RP heard about an incident in which officers supposedly had punched a man in the face and then arrested him.	Review of the incident found that an officer had stopped a man for an open container. The man tried to leave and resisted officers, at one point kicking an officer in the face. During the resistance an officer used focus blows to get the man into handcuffs. No policy violations were found. RP did not return voice messages.
10/19/2022	11/15/2022	26	Inquiry	RP reported an incident in which officers came to one of the Eugene Shelters and were let in by a contractor after telling him they didn't need a warrant to look for a suspect.	Review of body cam found that the contractor let the officers in, but no discussion of a warrant took place. Officers identified themselves to each resident they spoke with and explained the reason for their presence at the complex. No policy violations were found. RP did not return voicemails.
10/20/2022	10/26/2022	6	Inquiry Dismissed: Other	RP commented that officers should not suddenly flip on their lights and sirens in the dark when following another vehicle. If causes surprise by the other driver and could cause an accident.	Dismissed: Other
10/21/2022	10/28/2022	7	Service Level	RP had been unable to get an EPD officer to a scene of an accident from 2 years prior to document an issue. RP also mentioned being unable to report drug houses to EPD.	Sgt. spoke with RP about the accident issue and was able to provide the Police report number from the date of the accident. The Sgt. also explained the best way to anonymously report drug house issues.

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10/21/2022	11/23/2022	32	Use of Force	Auditor initiated look into a use of force at a person stop for open container.	Review of body cams found that an officer had pushed a bystander back from an arrest situation after repeatedly directing the bystander to move back. No policy violations were found.
10/23/2022	12/2/2022	39	Courtesy	RP was concerned that an EPD officer was rude and unhelpful when she tried to turn into a parking venue that she had a reserved space for at a recent Duck game.	Sgt. found that though there was no policy violation by the officer due to the nature of traffic direction during a busy pre-game time, the officer could have taken a minute to review RP's parking pass and provide good customer service to RP. Sgt. spoke with RP about the concern.
10/24/2022	11/28/2022	34	Inquiry	RP reported an officer tailgating and speeding down River Road.	Sgt. spoke with officer about the incident, the officer did recall driving in the manner described. Officer was reminded to be mindful of driving in legal and prudent manner. Sgt. spoke with RP passed along an apology and thank RP for bringing the matter to EPD's attention.
10/24/2022	11/2/2022	8	Incident Review	RP reported that EPD did not respond to her calls for service during a protest. RP had been maced.	Review of the incident found that all available officers at the scene were handling a medical emergency. By the time an available officer could be dispatched the macing incident had resolved. Sgt. spoke with RP about the incident and the staffing issues involved.
10/25/2022	12/1/2022	36	Inquiry	RP was unhappy with an investigation of a pedestrian/vehicle accident by an EPD Officer.	Review of body cams, police reports and speaking with the involved officer found that the officer had no probable cause to cite or arrest the vehicle driver in the incident. Sgt. texted with RP about the findings and provided insurance information from the driver to RP.
10/26/2022	11/28/2022	32	Courtesy	Auditor initiated review of an officer's discourtesy with an citizen at an arrest incident.	Body cam review of the incident showed that the citizen involved did not follow lawful orders to move back from an arrest incident in which the suspect was resisting arrest. The officer in question was professional, but curt and direct with the individual. Sgt. reported back to the Auditor with the findings.
10/26/2022	11/1/2022	5	Inquiry	RP reported an officer in a unmarked vehicle who put his gun and weapon away and then proceeded to question people at her apartment complex.	Sgt. found that the officer, who is a detective did speak to residents of the apartment complex about an investigation while wearing his badge and weapon and providing cards. Then when leaving on official business outside of the city placed his badge and weapon in his gear bag to begin a two hour drive. No policy violations were found. RP did not leave a name or contact information.
10/28/2022	12/2/2022	34	Service Level	RP had been unable to get a call back from the traffic safety desk.	Sgt. reviewed the complaint and contacted RP to apologize for no return call and spoke with RP about the traffic concern she wished to report.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
10/27/2022	1/6/2023	69	Performance	RP was concerned that an officer was impatient and rude during court.	Lt. looked into the matter and found instances of miscommunication between the officer and court staff. Both parties have been spoken with.
10/28/2022	1/5/2023	67	Performance	RP felt an officer threatened him when he was taken to be finger printed.	Sgt. found that the officer had told RP that he could have been killed during the illegal activity he and others had been involved in. No threats toward RP were made.
11/1/2022	12/13/2022	42	Service Level	RP was concerned that after RP held a juvenile shop lifter for several hours, EPD did not respond and asked that the juvenile be released.	Supervisor reviewed the records and found that heavy call volume at the time of RP's call lead to EPD not being able to respond. Supervisor spoke with RP about the findings, apologized for how the incident was handled and explained that it was not best practice and that in most cases EPD would respond.
11/3/2022	1/26/2023	83	Courtesy	RP reported being treated discourteously by officers when they approached him about trespassing.	Lt. reviewed body cams of the incident and found no discourtesy. Lt. spoke with RP about his findings.
11/6/2022	12/28/2022	52	Service Level	RP is unhappy with the inadequate investigation into her stolen car and the break in of her home days later.	After review of police reports and supplementals add by officers to the investigation Sgt. released the report for a Detective to follow up. Sgt. spoke with RP about what is happening with her case.
11/7/2022	11/28/2022	21	Service Level	RP reported that an officer had not called back when she tried to reported a motorist who had damaged her car and would not return calls. RP had also been unable to make a police report.	Sgt. found that the incident had happened in a parking lot and no officer had been assigned to the incident. The officer was unaware that RP had asked for a call back as RP had not left a voice message. Sgt. spoke with RP and clarified what EPD could do in the situation and gave RP a Incident number for her insurance company.
11/7/2022	11/17/2022	10	Inquiry	RP wants to understand why EPD is not looking into and arresting a man who threw water on a homeless woman.	Supervisor found that an EPD case had been opened and the investigation was ongoing.
11/9/2022	12/21/2022	42	Inquiry	RP complained that two letters written to EPD were sent back with a return to sender notation on them.	Supervisor spoke with RP and obtained a picture of the returned letters and was able to determine that because RP had addressed the letters to a retired officer, they were returned. Supervisor advised RP of the findings.
11/12/2022	11/22/2022	10	Inquiry Dismiss: Other	RP felt officers had no legal right to come to his home and shine lights into his windows due to a harassment complaint by his ex.	Dismissed: Other Review of incident by Auditor's Office found no policy violations.
11/14/2022	11/30/2022	16	Performance	RP was treated poorly by a call taker who contradicted a previous call taker RP had spoken with about pressing charges for harassment.	Review of the two calls made to EPD found that in the second call RP did not discuss the previous issue and the call taker handled the call properly. Supervisor has been unable to reach RP to discuss the findings.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
11/14/2022	1/27/2023	73	Performance	RP inquired into officers accessing her back yard with K9 dogs looking for a suspect. RP felt more information from officers would have been helpful.	Review of the incident found that officers were searching for a felony suspect when the K9 indicated to RP's yard. Sgt. determined that speaking with RP and giving information about the search would have eased RP's mind. Sgt. spoke with RP about the incident.
11/14/2022	12/30/2022	46	Inquiry	RP has been unable to get Property Control to release her son's belongings after an arrest. RP was also unhappy the result of a previous complaint after the court did not convict her.	Review of the property issue found that in a third party pick up various steps must happen before property is released. The DA's office and arresting officers must sign off and they a release form from the owner is required. These steps can take several months. No policy violations were noted and RP was notified of where her request was in the process. For RP's second concern, the Sgt. explained the difference in burden of proof between arrest and conviction.
11/15/2022	12/14/2022	29	Performance	RP reported a call taker being rude, and felt EPD did not want to help him because he was the father in a custody dispute.	Review of the call for service found that the call taker had to shift to a 911 call during the discussion with RP and when he returned to the call RP had continued on with the discussion not realizing the call taker had left for a time. This lead to the confusion and RP feeling he was not being helped. Supervisor contacted RP about the findings.
11/16/2022	12/19/2022	33	Courtesy	RP was frustrated that a call taker could not answer questions about Eugene's open container law.	Review of the call found that the call taker tried to explain the laws and for questions the call taker did not know a referral was given to RP for places to obtain the information. When asked for a supervisors name it was provided. After the call the call taker forwards RP's number to supervisor. No policy violations noted. Supervisor spoke with RP.
11/16/2022	11/22/2022	6	Inquiry	RP alleged that two officers "went through" her breast area and improperly searched her apartment.	Sgt. spoke with RP at the scene of the alleged incident where RP denied having made the allegations. RP was heavily intoxicated. Sgt. also reviewed body cams and CAD reports to ensure no policy violations occurred.
11/21/2022	12/12/2022	21	Performance	RP reported property that had been lost by EPD officers during an arrest.	Review of the arrest incident found that the property had been lost, by EPD officers. The incident was forwarded to the Risk Department and RP contacted about the findings, with information on filing a Risk claim.
11/23/2022	1/5/2023	42	Performance	RP is frustrated that officers did not get surveillance video from the establishment where a road rage incident began.	Sgt. reviewed police reports and body cam and found that officers attempted to get video from the establishment as well as a couple of others along the route of the incident and were not able to find any of value to the investigation. Sgt. spoke with RP about the findings.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
11/23/2022	12/21/2022	28	Inquiry	RP felt officers dismissed his complaint about a man who welded an ax at him.	Lt. reviewed body cam and police report of the incident and found that officers did a complete and thorough investigation of the incident. RP had been the instigator of the incident and no witness verified that the man had welded an ax at RP. No probable cause was found for an arrest. Lt. spoke with RP.
11/24/2022	12/13/2022	19	Inquiry	RP was concerned that an employee who had been hit by a car in an intersection waited and waited for police response and they never came.	Review found that the employee had called EPD back after the initial call and let them know they had been able to exchange information with the driver and no response was needed. When the supervisor explained how the call transpired RP apologized for making an unfounded complaint.
11/14/2022	12/15/2022	31	Inquiry	An inmate at the Lane County Jail, RP reported contact with several officers that possibly could have been an assault.	Review of EPD contacts with RP found that none of the officers listed in RP's complaint had had contact with RP within the last two years.
11/28/2022	11/30/2022	2	Performance Dismissed: Outside Jurisdiction	RP was unhappy with how a call taker handled a call for service	Dismissed: Outside Jurisdiction
12/3/2022	1/11/2023	38	Inquiry	RP was unhappy that an EPD officer waved help off, when a person having an overdose refused help.	Review of the incident found that two officers actually administered Naloxone to revive the overdosing person. After EMT's arrived and offered to take the person to the ER is when the officer of more help was declined. No policy violations were found. Sgt. spoke with RP.
12/3/2022	12/21/2022	18	Performance	RP was unhappy with an officer who RP felt gave her wrong information about being able to trespass someone on apartment property.	Review of body cam showed that the information given to RP was correct, but that the officer was sarcastic with RP. Sgt. spoke with RP and the officer about the incident.
12/3/2022	12/5/2022	2	Inquiry Dismissed: Outside Jurisdiction	RP reported an issue with the Florence Police Department.	Dismissed: Outside Jurisdiction
12/5/2022	1/18/2023	43	Inquiry	RP was concerned that a motorist that damaged his mailbox was not charged.	Review of the incident found that RP's son had answered the door at the time of the damage and had told the officer to not worry about it. Once the supervisor found out that RP wanted to press charges, the citation was issued enabling RP to request monetary compensation for damages with the court.
12/5/2022	1/5/2023	30	Inquiry	RP believed officers were harassing him just for being in the park.	Review of contacts with RP found that each time RP was contacted by officers they had probable cause that a crime or city ordinance was being violated. There was no evidence that officers were harassing RP. Sgt. spoke with RP about the findings.

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
12/5/2022	1/26/2023	51	Performance	RP complained that an officer did not get a witness statement for the report after a traffic accident.	Review of the officer's report found that the officer took a statement from two witnesses. The witness RP reference noted to the officer she had not seen the event and deferred to her spouse, who had given a statement. No policy violations were found.
12/6/2022	12/14/2022	8	Courtesy	RP was unhappy with the interaction he had with call takers when he called for a welfare check on his children.	Review of the incident found that a call for service was generated by call takers, but due to high call volume (50 calls holding) when an officer was able to contact RP in the early morning hours they did not connect. A supervisor spoke with RP the next morning. No policy violations were found.
12/6/2022	12/8/2022	2	Performance Dismissed: Timeliness	RP was unhappy with an officer's demeanor while working a traffic accident.	Dismissed: Timeliness
12/6/2022	12/19/2022	13	Inquiry Dismissed: Outside Jurisdiction	RP reported she was held for a traffic stop for over 2 hours and then only give a normal traffic citation.	Dismissed: Outside Jurisdiction
12/8/2022	12/15/2022	7	Inquiry Dismissed: Alternate Remedy	RP reported an issue with a child custody case.	Dismissed: Alternate Remedy
12/9/2022	1/9/2023	30	Performance	RP reported an officer who drove through a crosswalk almost hitting RP.	Sgt. reviewed in-car video of the incident and found that the officer was stopped at the light saw a vehicle run the light as it turned green. The officer initiated a traffic stop while making a wide turn to give RP room as he had just started to cross. No reckless actions were found.
12/9/2022	1/5/2023	26	Inquiry	RP wondered why an Animal Control Officer did not give his in-laws information about being able to dispatch an elderly pet outside the city limits.	Supervisor communicated with RP that Eugene Animal Control Officers are trained on Eugene codes and that dispatching is not an acceptable method of euthanasia in Eugene.
12/9/2022	12/13/2022	4	Inquiry Dismissed: Other	RP reported issues with electronic harassment.	Dismissed: Other
12/9/2022	1/23/2023	44	Service Level	RP was concerned that a call taker would not send officers to a home alarm while he was out of the area.	Supervisor's review of the call found that due to the circumstances relied at the time, the call taker would have been right to dispatch for the alarm. Typically this type of alarm is not dispatched. Supervisor spoke with RP about EPD's alarm policy.

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12/10/2022	2/7/2023	57	Performance	A third party complainant reported a EPD employee driving erratically.	The original party was contacted and declined to make a complaint. Employee was advised of following rules of the road for all drivers.
12/13/2022	12/19/2022	6	Inquiry Dismissed: Employee not identified	RP reported his son being held at gunpoint in Eugene. Officers responded but no follow up was done with RP's son.	Dismissed: Employee and incident not identifiable.
12/14/2022	12/21/2022	7	Inquiry	RP filed a confusing account of a call for service in which RP thought she saw her door handle move and that an EPD officer may have been involved.	Review found that the named officer was not on duty at the time of the incident. Sgt. spoke with RP about the findings.
12/14/2022	1/25/2023	41	Inquiry	RP felt that due to the speeding on his street, a driver in a recent accident should have been cited.	Sgt reviewed reports of the incident and found no policy violations. After speaking with RP he forwarded RP's concerns to traffic safety and traffic engineering.
12/15/2022	12/21/2022	6	Inquiry Dismissed: Other	RP was unhappy that an officer convinced another officer to not go through with the sale of a home.	Dismissed: Other
12/16/2022	12/21/2022	5	Courtesy	RP reported EPD officers who laughed at her during a discussion.	Review of body cam of each officer found that no officer had laughed at RP during the short 9 minute interaction with RP.
12/20/2022	12/27/2022	7	Inquiry Dismissed: Timeliness	RP reported an incident in which she believed officers used excessive force during an arrest.	Dismissed: Timeliness
12/22/2022	2/1/2023	39	Inquiry	RP felt a CSO officer was unhelpful when RP reported issues with a neighbor.	Supervisor reviewed the call and found that while the officer was able to give RP some possible solutions to the issue involved, a few further steps could have been taken. Supervisor spoke with RP and provided agencies to report issues.
12/26/2022	1/18/2023	22	Policy	RP tried to report illegal camping near his home and was told that the property was the Railroads and they would need to file the complaint. No further information about contacting the Railroad was provided.	Review of the call found that better customer service could have been provided to RP. Supervisor coached the call taker and spoke with RP.
12/27/2022	12/28/2022	1	Inquiry Dismissed: Other	RP observed an officer drop off a woman at a hotel and then appear to wait for the woman. RP thought it was strange and wanted it looked into.	Dismissed: Other Preliminary review by Auditor found that the incident was a legitimate law-enforcement action, documented in police CAD records.

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12/28/2022	1/26/2023	28	Inquiry	RP refused to take a report about a road rage incident.	Review of the incident found that officers spoke with both parties but did not have probable cause to cite either driver. RP asked for the badge number of the officer but then left the scene while the officer was speaking with witnesses. No policy violation noted. RP did not respond to voicemails.

Civilian Review Board

2022

ANNUAL REPORT



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Eugene Civilian Review Board 2022 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...; and,
- (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 Chairs

Eugene’s Civilian Review Board (CRB) is designed to provide transparency and build public confidence in the police complaint process. The Board evaluates the work of the Independent Police Auditor, and reviews closed complaints to provide a community perspective about their classification, investigation, and adjudication.

This annual report contains a summary of the work that the CRB undertook during 2022. As set forth in the ordinance, case reviews and assessment of the police auditor and the auditor’s office are included in the case summaries. As in years past, this report centers around the cases reviewed by the CRB. While detailing the allegations investigated, the issues discussed, and our discussions and findings, this report only touches on the work that we have put into our responsibilities. We have an engaged and thoughtful civilian review board that generously gives considerable personal time to participate in and evaluate the police oversight processes in Eugene. The CRB continually strives to have open and transparent discussion of cases brought before it and provide policy and training recommendations within the confines of the Oregon Public Records Laws. The CRB consistently meets more often than required by City Code. At most meetings, the entire board is present.

Our meetings are open to the public and provide an opportunity to review 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 ask the Board for review of their case at a future meeting. During 2022 all meetings were conducted virtually with an opportunity for public comment. 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 and publicly reviewing multiple cases. In 2022 the CRB met nine times and publicly reviewed 14 cases, including 10 allegations of misconduct, four incident reviews, and two service complaints.

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. The CRB discussion process successfully strikes this delicate balance between confidentiality and the transparency required to maintain public confidence in the system.

We strive for respectful, rigorous, inclusive dialog during our meetings. We make space for each board member to speak and maintain courtesy regardless of differences in opinion or viewpoint. We are also cognizant of the importance of being respectful when discussing those who may not be present in the meetings, whether a complainant or any officers involved in the alleged police misconduct in question.

When reviewing cases, we consider both the actions of officers (performance) and the expectations of action of officers (written policy). To this end, the Office of the Independent Police Auditor (OIPA) was integral in examining 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 Office of the Independent Police Auditor and Eugene Police Department's Internal Affairs.

The OIPA received 335 complaints during 2022. This is very similar to 2021 complaint levels (339), though continuing the downward trend from the all-time high in 2019 (446). Each complaint can generate multiple specific allegations against one or more EPD employees, however, therefore the number of complaints alone does not perfectly reflect the workload of the OPA. As in the past, most complaints continued to be customer service oriented and were subsequently classified by the Auditor as service complaints. There were far fewer allegations of misconduct (39), including criminal conduct (6) in 2022 compared to 2021. In last year's report we noted that the lack of adequate staffing in the Auditor's Office during 2021 resulted in delays in case investigations and closures. The successful hiring of two associate auditors during 2022 has remedied these concerns. There were only two cases from 2022 that remain open at the time of the writing of this report and the average case was closed ten days faster than in 2021. In addition, all the backlog from 2021 has been cleared.

The use of body-worn cameras has improved the ability of the Auditor's office and Internal Affairs to more precisely investigate situations where there was a question about an officer's conduct. In addition, video footage also allows the Auditor's office to better triage and classify complaints and systematically review uses of force and vehicle pursuits. Members of the CRB also review the body-worn and in-car video recordings during the process of reviewing cases. Our reviews are 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. Significantly, CRB members expressed ongoing concerns regarding the muting of body worn cameras. These concerns were referred to the Police Commission for consideration.

This year we continued to see the benefits of the BlueTeam software program which allows for tracking uses of force, shows of force, vehicle pursuits, and other reportable incidents. This quickly notified both EPD and OIPA when a use of force or other reportable incident occurred so that they could be reviewed without delay or the need for a citizen complaint. This did require significant staff time as the Auditor and/or Associate Auditors reviewed 159 use of force incidents and ten vehicle pursuits in addition to the complaints received.

In addition to reviewing closed cases, the CRB engages in continuous learning associated with police practices, civil rights, constitutional-based policing practices, 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 policies and practices and whether revisions seem appropriate. These policy concerns are sent to the Police Commission and the Police Chief through the CRB's appointed representative who also sits on the Police Commission. We also welcomed an observer from the Human Rights Commission, and a CRB liaison and Auditor staff typically attend their monthly meeting.

The CRB has been complimentary, critical, inquisitive, and decisive. It was an honor and privilege to serve the community of Eugene this past year. In 2022, 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 our community.

We appreciate the support of the City Council, Mayor, the Office of the Independent Police Auditor, the Eugene Police Department, and other community organizations 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 gain a better understanding of police work, and officers present can hear comments from community members in a thoughtful, and we hope, helpful forum. We look forward to ongoing thoughtful consideration of how we can improve community safety in Eugene and are committed to being partners in this effort.

Sincerely,

Carolyn Williams
2022 Board Chair

José Cortez
2022 Board Vice Chair

Civilian Review Board Members Serving in 2022

Current Members:

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.

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.

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.

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.

Clay Neal is a 5th generation Oregonian, native Eugenian, 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 focused on the relationship between the built environment, climate change, and equity.

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.

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.

Past Members (Served Until June 2022):

Michael Hames-García has been a Eugene resident since 2005, but grew up in Oak Grove, Oregon. He earned his BA from Willamette University and his PhD from Cornell University. Michael is a professor in the Department of Indigenous, Race, and Ethnic Studies at the University of Oregon and proudly serves as an officer in his union local. His scholarship and teaching currently centers on criminal justice policy reform.

William “Bill” Whalen is Senior Vice President and Chief Credit Officer at Summit Bank. His career in banking began over 30 years ago when he graduated from California State University at Long Beach with a Bachelor’s degree in Accounting. He is well-versed in lending, credit administration and management through his work in both the corporate and local community bank settings. Bill has called Eugene his home since 2001. He graduated from the Pacific Coast Bankers School in 2010. Bill is very active in the Eugene community and is a member of the Citizens Advisory Board. He is a board member of CASA of Lane County. Bill is also on the board of directors of Northwest Business Development Corporation (NWBDC), an SBA 504 lender. He is a member of the Eugene Chamber’s Local Government Affairs Council and a part of Lane Transit District’s Budget Committee. He is excited to join the City of Eugene’s Citizen Review Board of the Police Auditor’s Office.

2022 Overview

The CRB is required to meet four times a year. The CRB met nine times in 2022, all public meetings. The Board (with the help of the Office of the Independent Police Auditor) identified policy concerns and communicated such to the Police Commission and the Eugene Police Department. In 2022 our representatives to the Police Commission from January-June was Dr. Michael Hames-Garcia, and from June-December was Alan Leiman. José Cortez 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.

Trainings

Auditor’s office staff in collaboration with the CRB chairs selected a number of training topics for 2022. The CRB engaged in these six training sessions:

- Eugene Police Employees Association (Union) Overview
- Evidence Control and Property Handling
- EPD School Safety Practices
- Public Records and Meetings Law
- School to Prison Pipeline
- Long-range Impact Weapons Practices and Policy

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 (now a civilian position at EPD) 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 2022. 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 2022

FEBRUARY CASE REVIEWS:

Case #1: Courtesy Policy Violation Allegation Related to Trespass Response

Summary of Facts

- Two EPD officers were dispatched to a Post Office May 5, 2021, to assist with removing a patron who was refusing to leave after being asked to leave by employees.
- When Officer A and Officer B entered the Post Office they located the patron and Officer B told them to leave and that they could be cited for trespassing. The patron argued that they couldn't be trespassed.
- Officer A informed the patron that the employees were allowed to refuse them service. The patron continued to explain their position, Officer A again asked them to leave.
- Officer B said, "I'm begging you to leave"
- The patron gathered their items, told the employees "you'll be seeing me again" and then attempted to use the self-service machine in the lobby. The patron was again directed by officers to leave the premises at the request of the supervisor of the Post Office.
- The patron walked out the front door and dropped their wallet. Officer B called after them and returned the wallet to them outside the front doors of the Post Office.
- Once outside the building, Officer A and B continued to explain that if the patron violates the rules of the Post Office they will be trespassed. The patron disagreed with their interpretation of the law.
- Officer B informed the patron they were not allowed to go back inside or to return to the Post Office. The patron argued they had the right to conduct business in the Post Office.
- Officer A engaged in an argument using a hypothetical situation with the patron who continued to disagree. Officer A then took the patron's wallet which was lying between the patron and the officer and inspected the ID. The patron said the officer did not have permission to take their ID.
- After calling dispatch to run the ID the officer gave the ID back, the patron refused to take the ID back while accusing the officer of taking the ID.
- The patron refused to take their ID card back from Officer A's hands while Officer A continued to wave the card in front of the patron.
- The patron accused Officer A of harassing them. Officer A told the patron that they could leave whenever they wanted.
- The patron began walking to their car, Officer A approached the patron who said that Officer A needed to stay 6 feet away.
- Officer A stated "you're off your rocker" "post that" in reference to the video the patron was recording of the incident.

Allegations

Officer A:

103.5.8 Courtesy	Allegation that the officer wasn't respectful in their interaction with the patron.
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Recommended Adjudications

Officer A:

Courtesy	
Officer stipulated to the facts.	Sustained

CRB Comments and Discussion See Appendix A for February meeting minutes.

Case #2: Allegation that an Officer was Discourteous when Responding to Illegal Camping

Summary of Facts

- Officer A was called to assist City of Eugene Parking Control with towing a bus.
- The bus' owner was attempting to prevent the vehicle from being towed and Parking Control reported that the owner was threatening the tow truck drivers and throwing things at them.
- Officer A arrived and made contact with Parking Control and tow truck employees.
- Officer A then made contact with the bus owner informing them the vehicle was going to be towed.
- Officer A and the vehicle owner engaged in a back and forth exchange about the legality towing the vehicle, and the timing of towing the vehicle.
- Officer A accused the bus owner of being a drain on public resources and causing many calls for service.
- Officer A asked who else was in the bus and when the bus owner went to enter the bus, they said Officer A wasn't allowed to enter.
- Officer A pushed the bus owner aside and told them they were not allowed to enter the bus either.
- Officer A made verbal contact with the other occupant of the bus who began unloading items from the bus before towing.
- Officer A instructed the tow truck to hook up the bus.
- Officer A and the bus owner continued to engage in a verbal exchange eventually culminating in the bus owner walking away and calling in a complaint.
- The bus owner told the other bus occupant they were going to get one of their cars and then left the scene.

- The other bus occupant continued to unload items from the bus.

Allegations

Officer A:

103.5.8 Courtesy	That the officer was not respectful, courteous, and considerate towards a member of the public.
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Recommended Adjudications

Courtesy

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

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

MARCH CASE REVIEWS:

Case: Allegation Related to Search and Seizure

Summary of Facts

- Officer A, Officer B, and Officer C were dispatched to a welfare check at a parking lot.
- An employee at a nearby business called the communications center to advise there was a person passed out in a vehicle in front of a business; the car was sitting in the traffic lane, straddling a speed bump.
- Officers responded to the location and contacted occupant of the car (Reporting Party) who was asleep in the driver's seat of the vehicle.
- Officers began asking the Reporting Party questions about alcohol and drug use prior to their stop.
- Eventually the Reporting Party opened their glove box while looking for documents requested by Officer A.
- Officer C was positioned on the passenger side of the vehicle when Reporting Party opened the glove box.
- Officer C motioned to Officer B and Officer A to remove Reporting Party from the vehicle.
- Reporting Party was removed from the vehicle, placed in handcuffs, and searched.
- Officer C told Reporting Party they believed they saw a handgun in the glove box of the vehicle and requested permission to search the vehicle.
- Reporting Party told Officer C there was no handgun in his glove box and did not consent to a search of his vehicle.
- Reporting Party was placed in the back of a patrol car and the three officers had a discussion with their BWV microphones muted.
- After their discussion, Officer A entered Reporting Party's vehicle and opened his glove box.
- Reporting Party filed a complaint with the Auditor's Office to complain that the officers were rude and searched their vehicle without their permission.

Allegations

Officer A:

322.7.3 Search and Seizure	Allegation that officer searched the reporting party's glove box in violation of policy.
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Recommended Adjudications

Search and Seizure	
Police Auditor's Office	Sustained
EPD Chain of Command	Insufficient Evidence
Chief of Police	Within Policy

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

APRIL CASE REVIEW:

Case #1: Allegations of Inadequate Preliminary Investigation, Failure to Know and Enforce Laws, and Untruthfulness

Summary of Facts

- Officer A was dispatched to a harassment call.
- Reporting person (RP/concerned mother) informed Officer A her 16-year-old daughter had been contacted by an unidentified person on social media (Snapchat). The unidentified person had obtained older, sensitive photos of the 16-year-old female and sent the images to her.
- Officer A interviewed RP and her daughter. They told Officer A the unidentified person demanded additional nude photographs of the 16-year-old female in exchange for deleting the sensitive photos. The unidentified person stated if their demands for new, nude images were not met, then the older, sensitive photos would be posted online.
- Officer A recommended the 16-year-old delete/limit her social media accounts and take a break from online activity. Officer A informed the 16-year-old female that eventually the unidentified person would stop contacting her if she did not respond.
- Officer A told the RP and 16-year-old female the unidentified person's activities were felonies. Officer A informed the RP and 16-year-old female the unidentified person may have been halfway around the world and identifying him/her would be difficult due to the anonymity provided by Snapchat.
- Officer A had the 16-year-old-female provide screenshots (evidence) of her interactions with the unidentified person. Officer A provided business cards to the RP and the 16-year-old female and asked they contact him if they gathered intelligence regarding the identity of the unidentified person.
- Officer A did not write a report of his contact with the RP and 16-year-old female and did not transfer custody of the screenshots into evidence.

- Lieutenant C was informed by Lieutenant D that Officer A did not write a report of the contact with the RP and 16-year-old-female. Lieutenant D assigned another officer to contact the RP and 16-year-old female and investigate the incident.
- Lieutenant C initiated an Internal Affairs (IA) investigation for Officer A's handling of the incident.
- During an IA interview, Officer A stated his/her supervisor (Sergeant B) stated a report was not required for the contact with RP and 16-year-old female. An IA interview of Sergeant B was conducted. Sergeant B stated he/she did not recall commenting a report was not required to Officer A.

Allegations

Officer A:

405 Preliminary Investigations	That Officer A did not conduct an adequate preliminary investigation when he responded to this incident.
103.5.12 Duty to Know and Enforce Laws	That Officer A failed to take appropriate action, as required by department policy and practice, when he did not write a report on this incident.
103.4.1 Judgement	That Officer A did not demonstrate good judgment in his response to this incident.
103.5.22 Report and Evidence Submission	That Officer A did not submit evidence in this matter.
103.5.1a. Truthfulness	That Officer A was not truthful in his administrative interview when he described a discussion of this incident with his current supervisor, including his supervisor's response.

Recommended Adjudications

Officer A:

Preliminary Investigations	
EPD Chain of Command	Unfounded
Police Auditor's Office	Within Policy
Chief of Police	Unfounded

Officer A:

Duty to Know and Enforce Laws	
EPD Chain of Command	Unfounded
Police Auditor's Office	Sustained
Chief of Police	Unfounded

Officer A:

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

Officer A:

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

Officer A:

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

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

Case #2: Allegations OF Excess Use of Force and Failure to Document and Report Use of Force

Summary of Facts

- Officer A was dispatched to Springfield and took custody of a juvenile (Juvenile) with an outstanding warrant. Officer A transported Juvenile to Lane County Youth Services for lodging.
- Lane County Youth Services staff refused to accept Juvenile due to their erratic behavior and requested a medical examination. Officer A transported Juvenile to University District Hospital (UDH). Officer A requested a cover officer (Officer B) to meet them at UDH.
- Officer A and Juvenile arrived at UDH and were joined by Officer B. While Juvenile walked down a UDH hallway they proceeded to walk faster than Officer A and Officer B. Officer A told Juvenile to "knock it off." Then Officer A maintained a hold on Juvenile's handcuffs as they navigated UDH.

- Juvenile, Officer A, and Officer B entered an examination room. Officer A instructed Juvenile to sit on an examination bed, then Juvenile called Officer A “bitch,” and turned facing Officer A. Officer A grabbed the head and neck/shoulder of Juvenile and led them to a squatted position. Officer A then grabbed Juvenile’s arm, helped them stand up, and directed them to sit on the examination bed.
- Juvenile complained of an injury to their neck from the contact with Officer A. Staff at UDH conducted an examination and cleared Juvenile for detention at Lane County Youth Services.
- Officer B notified their supervisor of the incident and said the force was unnecessary.
- A review of the incident revealed Officer A did not document the use of force in a report, did not notify their supervisor, and did not make a BlueTeam entry.
- Lieutenant C initiated an Internal Affairs (IA) investigation for Officer A’s actions.

Allegations

Officer A:

800.2 Use of Force	That Officer A used force in excess of that which was reasonable under the circumstances in his takedown of EPD Custody.
800.6 Reporting the Use of Force	That Officer A failed to appropriately report his use of force on EPD Custody, including: <ul style="list-style-type: none"> a. failing to document the use of force in his police report, b. failing to notify his supervisor of the use of force, and/or c. failing to complete a Use of Force BlueTeam entry.

Recommended Adjudications

Officer A:

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

Officer A:

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

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

JUNE CASE REVIEW:

Case: Allegations That Officers Violated the Arrests Policy and Mistreated the Suspect by Leaving Him in Handcuffs for an Extended Period of Time.

Summary of Facts

- This was an internally generated complaint, made by witnessing officers.
- Officers A & B arrested the suspect for violating a park restriction.
- During the arrest process they placed the suspect in handcuffs and inventoried his backpack for lodging at the jail. They discovered drugs in the backpack and packaging materials. They also found a small, locked container in the backpack that the suspect denied them permission to search.
- They drove to the evidence control unit and left the suspect handcuffed in the back of the vehicle for over an hour while they inventoried and documented the contents of the backpack.
- Though they did episodically check on him and eventually moved the handcuffs to the front of the suspect's body for comfort, they did not actively monitor the suspect and denied him access to a restroom when requested.
- The suspect was in handcuffs in the back of the vehicle for over an hour and a half.
- Officers A & B eventually requested for another officer to transport the suspect to the jail.

Allegations

Officer A:

302.b Arrests	That Officers A and B violated the arrests policy by failing to transport the suspect to "a proper facility as soon as possible".
302.c Arrests	That Officers A and B mistreated the suspect by leaving him in in the patrol car in handcuffs for an extended period of time.

Recommended Adjudications

Officer A:

Arrests (b)	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

Officer B:

Arrests (b)	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

Officer A:

Arrests (c)	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

Officer B:

Arrests (c)	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

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

JULY CASE REVIEWS:

Incident Reviews

Case Review #1: Profiling Complaint Related to Reported Stolen Vehicle

Summary of Facts

- RP complained his/her civil rights were violated, and he/she was racially profiled.
- Classified as an Incident Review and investigated by Internal Affairs.
- Sgt. A conducted a traffic stop on a driver (RP) of a U-Haul truck for speeding. Dispatched advised Sgt. A U-Haul was a stolen vehicle.
- Sgt. A removed RP from the U-Haul with a drawn service weapon. Other officers aided the traffic stop.
- RP was told the U-Haul was reported stolen, and he/she was detained.
- After field investigation, officers determined RP and U-Haul usage was unclear (contract ambiguity) and should be considered a civil matter. U-Haul employee retrieved U-Haul, and RP was released.
- Internal Affairs' investigation determined the complaints were unfounded and/or within policy.

Case Review #2: Sexual Misconduct Complaint

Summary of Facts

- Lane County Sheriff's Office Sgt. A contacted Eugene PD Lt. B.
- Sgt. A told Lt. B when RP was admitted to the Lane County jail, RP said he/she was raped by Eugene PD Officer C (transported RP to jail).
- Classified as an Incident Review and investigated by Internal Affairs.
- Eugene PD Internal Affairs Sgt. D responded to the jail and interviewed the RP. RP claimed Officer C made inappropriate contact with RP, when RP was handcuffed. RP did not make an allegation of rape during the interview.
- Sgt. D reviewed the incident video and stated the footage did not show inappropriate contact between Officer C and RP.
- Internal Affairs' investigation determined RP's complaint was unfounded.

Case Review #3: Complaint of Improper Seizure

Summary of Facts

- RP complained officers busted down his/her door, drugged and raped him/her, then arrested him/her. RP said \$20,000 in US Currency was seized from him/her and was not returned to him/her.
- Classified as an Incident Review and investigated by Internal Affairs Sgt A. Investigation included review of body-worn video, in car video, police reports, CAD, and RP interview.
- In a 5-hour and 56-minute time period, RP called 911 approximately 150 times; all calls were determined to be illegitimate. EPD officers attempted to aid RP and were unsuccessful in their communications with the RP.
- Based on RP's misuse of 911 service, EPD Officer B obtained a search warrant for RP's residence, and EPD officers executed the warrant. RP was arrested and lodged in the Lane County jail. During the search of the RP's residence, \$15,804 in US Currency was located. The currency was not seized; it was lodged into Lane County jail as RP's property (for safekeeping).
- Sgt. A confirmed RP's funds were lodged as RP's property, and a check for \$12,804 was issued to RP when he/she was released on bail (\$3,000 of the funds were used by RP to post bail).
- Internal Affairs' investigation determined RP's complaint was unfounded.

Case Review #4: Use of Force Complaint

Summary of Facts

- Lane County Sheriff's Office Sgt. A contacted Eugene PD Internal Affairs Sgt. B.
- Sgt. A told Sgt. B when RP was admitted to the Lane County jail, RP said he/she was injured by Eugene PD Officer C during his/her (RP's) arrest.
- Classified as an Incident Review and investigated by Internal Affairs.
- Sgt. B and Sgt. D responded to the jail and interviewed the RP. RP claimed Officer C pulled him/her from his/her vehicle and threw him/her into the ground. RP claimed the arrest caused damage to his/her side and shoulder.
- Sgt. B reviewed the incident video and reports. Sgt. B stated RP was driving a stolen vehicle and was traffic stopped by Officer C. Sgt B. stated RP resisted arrest, and Officer C removed him/her from the vehicle. Sgt. B stated Officer C's actions were normal and did not qualify as a reportable use of force.
- Internal Affairs' investigation determined Officer C's actions were within policy.

Case Review #5: Search Complaint

Summary of Facts

- RP complained his /her civil rights were violated and alleged Officer A conducted an unlawful search of his/her residence's bedroom without permission.
- Classified as a Service Complaint and investigated by field supervisor.
- Officer A responded to RP's residence. Officer A requested and was granted permission to enter RP's residence. RP had a son/daughter who was present at RP's residence, in violation of a restraining order.
- Officer A determined RP's restraining order was not on file. RP said he/she had a copy of the restraining order and went inside his/her bedroom to search for the copy of it. Officer A followed RP to bedroom and utilized his/her (Officer A's) flashlight to illuminate the room. RP asked Officer A to step outside of his/her residence and Officer A complied. [Note - The restraining order discrepancy was resolved, and son/daughter was removed.]
- Sgt. B reviewed the incident video and spoke with Officer A. Sgt. B stated the footage did not show an unlawful search or civil rights violation.
- Sgt. B's investigation determined RP's complaint was unfounded, and Officer A's actions were within policy.

Case Review #6: Performance Complaint

Summary of Facts

- RP complained Officer A improperly handled a traffic incident after RP had an altercation with the driver of a second vehicle (Driver B).
- Classified as a Service Complaint and investigated by field supervisor.
- RP said Officer A should have pursued criminal charges against Driver B. RP felt Driver B followed RP too closely and created a danger to RP [Note – RP was operating a motorcycle.] RP stopped his/her motorcycle in a lane of traffic, walked to Driver B's vehicle, and confronted Driver B. Driver B responded to RP's actions, produced a shovel, and threatened RP.
- RP told Officer A he/she wanted to press charges against Driver B for the threat of physical injury. Officer A explained to RP parking in a lane of traffic to confront Driver B was a poor manner to handle the incident. Officer A told RP they both were disorderly and could be cited.
- Officer A explained to Driver B and RP proper techniques to handle disputes with other vehicle operators. Officer A did not cite RP or Driver B.
- Sgt. C investigated the incident and determined Officer A's actions were appropriate. Sgt C spoke to the RP and explained his/her findings.

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

SEPTEMBER CASE REVIEW:

Allegation of Excessive Force and Lack of Courtesy

Summary of Facts

- Officer A was dispatched to a trespass call.
- Reporting person (RP) informed Officer A there was an unidentified person (Citizen B) interfering with the delivery door at RP's work establishment. RP said he/she contacted Citizen B and asked him/her to move. RP said Citizen B responded with a profanity and refused to move.

- RP called Eugene PD and reported Citizen B. Officer A arrived and interviewed RP. RP explained Citizen B was combative and refused to leave the place of business. RP told Officer A he/she did not want to press charges for trespassing, he/she (RP) just wanted Citizen B to leave the business.
- Prior to contacting Citizen B, Officer A requested assistance. Officer C arrived at the incident location and the two officers contacted Citizen B. Citizen B resisted the officers' efforts and a struggle to handcuff Citizen B ensued. Based on Citizen's B actions, he/she was arrested for trespassing and resisting arrest.
- After Citizen B was handcuffed, Officer A and Officer C moved him/her in front of Officer A's marked, Eugene PD car in preparation for transport to the Lane County Detention Center. Officer C and Citizen B engaged in a back-and-forth verbal exchange, and as the discussion progressed, it escalated. Citizen B made repeated claims about police brutality, and Officer C replied with resisting arrest statements.
- During the interaction, Citizen B turned his/her head towards Officer C; Officer C placed his/her hand as a barrier between them, and Officer C's hand contacted Citizen B's head (right cheek/jaw area).
- During an IA interview, Officer C stated he/she placed his/her hand in a defensive position to protect himself/herself from Citizen B, specifically to protect him/her from being spat on. Officer C stated he/she had been spat on in his/her capacity as a police officer, and on one occasion, he/she was infected with swine flu from being spat on.

Allegation

103.5.8.a Courtesy	That Officer C failed to be respectful, courteous, and considerate toward Citizen B after arresting Citizen B for trespassing.
800.2 Use of Force	That Officer C used force in excess of that which was reasonable under the circumstances when he/she struck Citizen B's face after Citizen B was detained in handcuffs.

Recommended Adjudications

Officer A:

Courtesy

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

Officer A:

Use of Force

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

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

OCTOBER CASE REVIEWS:

Case Review #1: Allegation of Improper Search and Seizure, Body Worn Camera Policy Violation, Unsatisfactory Performance, and Poor Conduct

Summary of Facts

- Officer A contacted an unidentified person near the rear of a vehicle. The unidentified person told Officer A he/she wanted to get away from the vehicle because the driver (Involved Citizen) was drunk and wanted to drive. Then the unidentified person walked away and ended the contact with Officer A.
- Officer A contacted the Involved Citizen (in the parked vehicle). Officer A observed Involved Citizen was sitting in the driver's seat, had his/her feet out the vehicle, and was sleeping in a slumped position. Officer A did not utilize his/her body-worn video (BWV) system while contacting Involved Citizen and did not notify dispatch of the contact.
- Officer A concluded Involved Citizen was intoxicated and asked him/her to hand over the keys of the vehicle to Officer A. Involved Citizen complied and handed the keys to Officer A. Then, Officer A threw Involved Citizen's keys over a nearby fence and instructed him/her not to drink and drive. After the contact, Officer A returned to Eugene PD Headquarters.
- Involved Citizen saw and requested assistance from Officer B and Officer C. Involved Citizen informed them of the contact with Officer A and requested assistance locating his/her keys. [Note – Involved Citizen did not recall Officer A's name.]
- Involved Citizen was agitated over the interaction with Officer A and requested assistance from a Eugene PD supervisor. Officer B called Sergeant E. Sergeant D and Officer A (both located at Eugene PD Headquarters) were made aware of the phone conversation between Sergeant E and Officer B. Officer A told Sergeant E he/she was the officer who threw the keys, and he/she would retrieve them.
- Officer A returned to the incident scene, located and returned Involved Citizen's keys. Sergeant D also responded to Involved Citizen's location. Involved Citizen expressed concerns regarding the contact with Officer A to Sergeant D.
- After the contact with Involved Citizen concluded, Sergeant D spoke with Officer A regarding his/her (Officer A's) deficiencies handling the incident. Officer A apologized for the incident and acknowledged his/her shortcomings.
- During an IA interview, Officer A recounted the interactions with Involved Citizen and acknowledged the incident could have been handled differently.

Allegation

322 Search and Seizure	That Officer A improperly seized Involved Citizen's property, in violation of policy and Involved Citizen's constitutional rights, when he/she retrieved Involved Citizen's keys and threw them over a fence.
1203.7.1 Body Worn Video	That Officer A failed to use his/her BWV system to record his/her encounter with Involved Citizen, in violation of policy.
103.5.14 Unsatisfactory Performance	That Officer A failed to notify dispatch he/she was making contact with Involved Citizen.
103.5.9.e Conduct	That Officer A's conduct towards Involved Citizen constituted conduct that brought the department into disrepute and/or significantly impaired the operation or efficiency of the department.

Recommended Adjudications

Search and Seizure

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

Body Worn Video

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

Unsatisfactory Performance

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

Conduct

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

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

Case Review #2: Allegations of Failing to Meet Expectations of a Supervisor, Unsatisfactory Performance, and Lack of Professionalism

Summary of Facts

- Officer D contacted Involved Citizen; he/she (Involved Citizen) was sitting in the driver's seat of a parked vehicle, had his/her feet out the vehicle, and was sleeping in a slumped position. Officer D concluded Involved Citizen was intoxicated and asked Involved Citizen to hand over the keys of the vehicle to him/her. Involved Citizen complied and handed the keys to Officer D. Then Officer D threw Involved Citizen's keys over a nearby fence and instructed him/her not to drink and drive. After the contact, Officer D returned to Eugene PD Headquarters.
- A short time after Officer D's contact with Involved Citizen ended, he/she (Involved Citizen) saw and requested assistance from Officer B and Officer C. Involved Citizen informed them of his/her contact with Officer D and requested assistance locating the vehicle keys. As Involved Citizen's conversation with Officer B and Officer

C progressed, he/she (Involved Citizen) became very agitated. Involved Citizen said he/she wished to file a complaint and requested assistance from a supervisor.

- Officer B called Sergeant E. Sergeant A and Officer D (both located at Eugene PD Headquarters) were made aware of the phone conversation between Sergeant E and Officer B. Officer D told Sergeant E he/she was the officer who took the keys and would retrieve them. Officer D returned to the incident scene, then located and returned Involved Citizen's keys.
- Sergeant A also responded to Involved Citizen's location. When Sergeant A arrived at the location, Involved Citizen told Sergeant A, "I need to talk to you. You literally had Officer D..." Then Involved Citizen turned and faced Officer B and berated/insulted him/her. [Note: Involved Citizen wished to speak to Sergeant A without Officer B nearby.]
- Sergeant A interrupted Involved Citizen and told him/her, "You are going to stop talking that way, you're going to stop acting that way, or we just going to leave." Involved Citizen refused and said, "then leave." Sergeant A responded to Officer B and Officer C, "let's leave."
- As Sergeant A began to enter his/her vehicle, Involved Citizen approached him/her. Sergeant A instructed Involved Citizen to back away from the vehicle, however, Involved Citizen said he/she wasn't going to back away. Sergeant A opened the vehicle door and used it to contact/push back Involved Citizen. Then Sergeant A and Officers B and C left the location.
- During an IA interview, Sergeant A stated he/she discussed the incident with the Acting Watch Commander after the event and notified his/her supervisor the following day. Sergeant A stated, at the time of the incident, he/she was unfamiliar with the requirement to notify the Police Auditor within 24 hours of the incident. Sergeant A denied he/she had been informed that Involved Citizen wished to make a formal complaint against Eugene PD personnel. Sergeant A stated Sergeant E only told him/her Involved Citizen wanted to speak to a supervisor and made no mention of a complaint.

Allegation

103.5.23.b Expectations of Supervisors	That Sergeant A failed to report known or potential misconduct of an employee or document it appropriately in a timely manner.
103.5.14.c Unsatisfactory Performance	That Sergeant A failed to perform the required tasks associated with his/her official duties when he/she did not report a citizen complaint within 24 hours as required by Eugene City Code 2.456(2)(b).
103.4.2 Professionalism	That Sergeant A did not provide courteous service or ensure his/her conduct was respectful in his/her interaction with Involved Citizen.

Recommended Adjudications

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

Unsatisfactory Performance

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

Professionalism

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

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

NOVEMBER CASE REVIEW:

Allegation of Unnecessary Use of Force

Summary of Facts

- Members of the Eugene Police Department (PD) received information that a wanted person (Suspect) was located at a business in Eugene, Oregon. The Suspect had an outstanding arrest warrant which included charges for attempted murder, kidnapping, burglary, strangulation, recklessly endangering, tampering with a witness and assault.
- Officers formulated a plan to arrest the Suspect. During the operation, an associate of the Suspect identified the presence of law enforcement and alerted him/her. Officers converged on the Suspect's location, and he/she entered the Willamette River to escape.
- The pursuit to arrest the Suspect intensified; Lane County Sheriff's Office (SO) deputies and Oregon State Police (OSP) troopers assisted Eugene PD officers in the operation. During the Suspect's refusal to surrender to officers' commands and flight to avoid arrest, Eugene PD officers deployed a flash bang and two 40mm less lethal projectiles, and a Lane County SO deputy deployed a taser, all with unsuccessful results.
- The Suspect utilized the Willamette River and avoided arrest for approximately two hours before OSP troopers, Lane County SO deputies, and Eugene PD officers closed in on his/her location near the shore of an island in the Willamette River. The Suspect was arrested after law enforcement converged on his/her location, and moments before his/her capture Sergeant A deployed pepper ball rounds to facilitate the arrest.
- In an IA interview, OSP Trooper C stated the Suspect was in the process of walking out of the water (in compliance with his/her request to surrender) when Eugene PD Sergeant A deployed pepper ball rounds on the Suspect. Trooper C stated in response to the pepper ball deployment, the Suspect turned away from the shore and went back into the river. Trooper C questioned the need for Sergeant A's pepper ball deployment.
- In an IA interview, Sergeant A stated the Suspect was a dangerous person; he/she (Sergeant A) was very concerned for the safety of the Suspect's spouse and felt an urgency to capture him/her. Sergeant A stated in the time shortly before the pepper ball deployment, he/she and a K9 officer separated from other officers on the island and pursued a K9 scent. Sergeant A stated he/she ran to the location of the other officers, observed the Suspect to be noncompliant, and quickly determined the deployment of pepper ball rounds was

the appropriate force to ensure the Suspect's arrest (Sergeant A was the only officer with a pepperball launcher).

- After the IA interview, Sergeant A was shown the body worn video (BWC) footage captured by another officer at the scene. After viewing the video, Sergeant A said he/she would not have deployed the pepperball rounds if he/she saw the full exchange with the Suspect (from the point of view of Trooper C).

Allegations

Officer A:

800 Use of Force	That Sgt. A used force in excess of what was reasonably necessary under the circumstances when he/she deployed PepperBall rounds at the Suspect in the Willamette River near Delta Sand and Gravel.
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Officer B:

103.4.1 Judgment	That Officer B did not exercise good judgment at the scene of the fire.
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Recommended Adjudications

Sergeant A:

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

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

M I N U T E S
Civilian Review Board
Zoom Webinar

February 8, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Bernadette Conover, Vice Chair; Jose Cortez, Michael Hames-Garcia, Clay Neal, Alan Leiman, Bill Whalen, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Leia Pitcher, Police Auditor's Office; Jason Berreth, Cindy Coleman, Ryan Nelson, Joel Peckels, Eugene Police Department

Chair Williams convened the Civilian Review Board (CRB) at 5:31 p.m. Everyone present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

Williams said that they did not have a training that night since the trainer was not available that night. They would reschedule the training for their March meeting.

2. Minutes Approval (Minutes from November Meeting)

MOTION: Conover moved, seconded by Whalen, to approve the November 9, 2021, CRB meeting minutes as presented. The motion passed unanimously.

3. Comments from Board Members and Commission Liaisons

Williams introduced the new Associate Auditor's Rob Eller and Lindsey Foltz. They asked if they had already started investigating. Eller replied that they started work right away since the Auditor's Office had been behind on some investigations. Williams reminded Conover and Hames-Garcia that their terms would be up that year and they should reapply if they were still interested. Whalen said that they would be moving away in the Summer and there would be a vacancy. Williams said that in March the Board would elect their Human Right Commission and Police Commission liaisons.

Hames-Garcia said that Police Commission had met in December and January. The December meeting was foggy in their mind, but in the January meeting they had an in-depth discussion of the STOPS data.

Conover appreciated the two months off. They were excited when they got the materials for the new case. However, they were a bit disappointed with the type of cases that they were reviewing, and that the Auditor's Office did not write memos for them. Conover understood the constraints that Pitcher was under. They hoped that having two Associate Officers would get them back on track with the memos.

Whalen announced that they would be moving to Southern Oregon in the Summer and would no longer be available to sit on the Board. They would miss the work and appreciated all that they had learned while on the Board.

Leiman was saddened that Whalen was leaving and hoped that Conover and Hames-Garcia would reapply for their positions. They brought up that there had not been a public notice that they were meeting that night. Leiman emphasized the importance of having these meetings listed in the paper.

4. Public Comment

There was no public comment.

5. Case Review #1: Allegation that Employee was Discourteous During Call for Service for Trespass

Foltz pulled up a slideshow entitled: “Case Review #1: Allegations Related to Officers’ Response to House Trespass.”

I. Summary of Facts

- Two EPD officers were dispatched to a Post Office May 5, 2021, to assist with removing a patron who was refusing to leave after being asked to leave by employees.
- When Officer A and Officer B entered the Post Office, they located the patron and Officer B told them to leave and that they could be cited for trespassing. The patron argued that they couldn’t be trespassed.
- Officer A informed the patron that the employees were allowed to refuse them service. The patron continued to explain their position, Officer A again asked them to leave.
- Officer B said, “I’m begging you to leave.”
- The patron gathered their items, told the employees “You’ll be seeing me again” and then attempted to use the self-service machine in the lobby. The patron was again directed by officers to leave the premises at the request of the supervisor of the Post Office.
- The patron walked out the front door and dropped their wallet. Officer B called after them and returned the wallet to them outside the front doors of the Post Office.
- Once outside the building, Officer A and B continued to explain that if the patron violates the rules of the Post Office they will be trespassed. The patron disagreed with their interpretation of the law.
- Officer B informed the patron they were not allowed to go back inside or to return to the Post Office. The patron argued they had the right to conduct business in the Post Office.
- Officer A engaged in an argument using a hypothetical situation with the patron who continued to disagree. Officer A then took the patron’s wallet which was lying between the patron and the officer and inspected the ID. The patron said the officer did not have permission to take their ID.
- After calling dispatch to run the ID the officer gave the ID back, the patron refused to take the ID back while accusing the officer of taking the ID.
- The patron refused to take their ID back from Officer A’s hands while Officer A continued to wave the card in front of the patron.
- The patron accused Officer A of harassing them. Officer A told the patron that they could leave whenever they wanted.
- The patron began walking to their car, Officer A approached the patron who said that Officer A needed to stay 6 feet away.
- Officer A stated “You’re off your rocker” “post that” in reference to the video the patron was recording of the incident.

II. Allegations

- **103.5.8 Courtesy:** Allegation that the officer wasn’t respectful in their interaction with the patron.

III. Adjudication Recommendations

- Officer A stipulated to the facts and the allegation was sustained.
 - Auditor did not write separate adjudication recommendation memo

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Community Generated Complaint

- o Classification: Allegation of Misconduct

Hames-Garcia thought courtesy was a logical allegation and they had no comments about the intake. Conover concurred. They believed that the video they received spoke for itself. Conover asked how long the officer had been with the agency. Williams said they had been employed for 14 years and on that specific unit for 8 years. Conover said that some officers were very good at talking to people in difficult situations. The officer in the case was not that type of officer. Conover thought that the conversation seemed like it was with a campus security officer, not a city police officer. They wanted to make those comments, but had no complaints about the intake, classification, or monitoring.

Neal was glad that a member of the community could make a complaint and have it taken through all these steps. They stated that the allegation seemed fair and there was potential need for ongoing communication training for officers.

Whalen noted that as the situation kept going, they could tell that the officer was getting annoyed with the person. They understood how those situations could be frustrating. Whalen thought that the second officer could have taken over the situation to relieve the officer. They wanted that practice to happen more often.

Leiman brought up University of Chicago research that said it was unlikely for a rude officer to only be a rude officer. They were also more likely to be bad de-escalators and to use force more frequently. Leiman mentioned that if that was statistically true, then they were troubled by the incident.

Williams said this was the first time they had seen a stipulation adjudication. They wanted to know how that decision was made. Pitcher replied that they had talked about expedited processes in the past and decided to try it for this case. Coleman added that they tried it on cases where the Union, on behalf of the employee, explored the idea with the Chief. Williams asked if it was done because the officer said that they acted in the wrong and the department decided to move directly to discipline. Coleman told them that was correct. Conover disagreed with what was being said about the stipulation being an admission of wrongdoing. They thought the officer was saying that the video spoke for itself and each person who watched it could come to their own conclusion. If the officer agreed that they had acted against the policy, they wanted to know that.

Williams knew they had seen the officer's name a fair amount in the past. They asked if they were usually the main officer in cases they reviewed or just involved as a side officer (Officer B, Officer C, etc.). Pitcher responded that they were Officer A in a case in 2020 and the rest of the cases they were Officer B or Officer C. Williams stated that the distinction was important. Conover tried to take each case as it came before them and not think about their history. The Board was there to look at if an officer was in line or out of line with policy. They stated that it was the Department's job to keep track of that information.

- Relevant Policies and Practices; Training Considerations

- o 103.5.8 Courtesy

Conover liked the idea that Whalen brought up of having another officer step in and relieve another officer when a situation was escalating. In this situation they thought it might not help since the person in the case seemed to want to argue that they were not in the wrong.

Cortez joined the meeting at 6:07 p.m.

Neal could only assume that police officers had these types of interactions frequently. They said that it was a police officer's job to stay courteous while interacting with a member of the public in any situation no matter the person's lifestyle. Neal thought the importance of the case was that they make sure that police officers were given the human relation and communication skills needed to do their jobs. When

they had looked at Portland's policies in the past, they had found them lacking. Neal wanted to have a training topic on what trainings they got in the future.

Whalen thought that the policy was clear on officer expectations. They thought that officers had to be educated on when to step in and take over for someone else. Whalen wanted them to be careful to not ruin someone's long career because of a few allegations. Officers had many interactions a week and to have two courtesy allegations against an officer was not a reason to end a career. However, they agreed with Neal that they had to provide training to the officers.

Leiman believed that the situation would be de-escalated if the officer had explained calmly why what the individual had done was wrong and why they had to leave. They thought with more training around situations like this other similar cases could be avoided.

Williams thought that the situation hit a point where it was no longer being productive. They compared it to situations with their children where they get overwhelmed, and their partner must come in and take over for them. Williams agreed that having officers relieve each other would be very beneficial. To them the situation got out of hand when the officer followed the individual instead of letting them go.

Cortez stated that they were three years into a pandemic and stress for people in public occupations was high. That was something they kept in mind when reviewing these cases. They wished that labor conditions were better. They had to attend to working conditions and the stress that officers were taking on in an already difficult occupation.

Hames-Garcia viewed the policy that was in their packet. The Courtesy policy stated that all officers were always supposed to stay courteous when on the job. They understood the difficulty of that task and how challenging the situation was, but the officer's actions were against policy. The policy also says that employees could not denigrate any gender, race, national, sexual orientation, or religion, unless necessary when giving their report or testimony. Hames-Garcia noted disability status was not included. In the case there were comments made that implied a psychological impairment. If the individual had a mental condition than those comments were not courteous, and if the individual did not have a mental condition that was also not courteous.

Pitcher shared that they were working on getting the early intervention program up and running. This officer was the focus of both the cases that night. They wanted to provide the care and tools necessary to help officers. Leiman said that they absolutely needed to support their officers, but they also needed to ask themselves if they hired the wrong person.

- Adjudication Recommendations
 - Sustained

Williams agreed with the adjudication.

Hames-Garcia agreed with the adjudication. They added that most officers did not have any complaints filed against them. When an officer had multiple allegations made against them, they had to acknowledge that. Conover agreed. They just wanted to make sure they were reviewing a case within itself and not letting any biases sway them. Conover agreed with the adjudication.

6. Break

The CRB took a break from 6:33 p.m. to 6:38 p.m.

7. Case Review #2: Allegation that Employee was Discourteous when Responding to a Call to Assist with Illegal Camping

Foltz pulled up a slideshow entitled: “Case Review #2: Allegations Related to Officers’ Response to Vehicle Towing Call.”

I. Summary of Facts

- Officer A was called to assist City of Eugene Parking Control with towing a bus.
- The bus’ owner was attempting to prevent the vehicle from being towed and Parking Control reported that the owner was threatening the tow truck drivers and throwing things at them.
- Officer A arrived and made contact with Parking Control and tow truck employees.
- Officer A then made contract with the bus owner informing them the vehicle was going to be towed.
- Officer A and the vehicle owner engaged in a back-and-forth exchange about the legality towing the vehicle, and the timing of towing the vehicle.
- Officer A accused the bus owner of being a drain on public resources and causing many calls for service.
- Officer A asked who else was in the bus and when the bus owner went to enter the bus, they said Officer A wasn’t allowed to enter.
- Officer A pushed the bus owner aside and told them they were not allowed to enter the bus either.
- Officer A made verbal contact with the other occupant of the bus who began unloading items from the bus before towing.
- Officer A instructed the tow truck to hook up the bus.
- Officer A and the bus owner continued to engage in a verbal exchange eventually culminating in the bus owner walking away and calling in a complaint.
- The bus owner told the other bus occupant they were going to get one of their cars and then left the scene.
- The other bus occupant continued to unload items from the bus.

II. Allegations

- **103.5.8 Courtesy:** That the officer was not respectful, courteous, and considerate towards a member of the public.

III. Adjudication Recommendations

- Officer A:
 - Courtesy
 - Auditor’s Office: Concurred with Chain of Command
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
 - Auditor did not write separate adjudication recommendation memo.

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Community Generated Complaint
 - Classification: Allegation

Whalen thought the classification was fine and the investigation was done well. They noted that the officer was frustrated through the conversation. The officer seemed to change their attitude when they talked to another member of the public, which Whalen found interesting. They wished that every member of the community was contacted in the investigation. Whalen understood that they might have tried to reach out and not been able to make contact.

Leiman stated that his comments were the same as the last case. The officer was discourteous.

Cortez thought it was unrealistic for them to not acknowledge patterns of action. While they looked at two different cases that night, it was undeniable that there was a pattern. They hoped that the Auditor's Office would take these situations seriously.

Williams thought a complaint should have been made. They said that the intake, classification, and monitoring was done well. Williams hope that the Auditor's memo would come back since the Associate Auditor's had been hired. Pitcher replied that the memos would return.

Hames-Garcia said that there was more of an investigation done on this case and it was done well. They felt that the classification was appropriate.

Conover thought that this was a patience issue, not an anger issue. Officers were in a tough situation with the pandemic, and they thought this was a result of that. The officer should have been able to communicate why the bus was being towed. Conover noted that there was almost no discussion on the hands-on part of the interaction. Neal concurred. They thought it should have been addressed since it seemed to be an issue for the reporting party.

Neal found the video hard to watch and had issues with how both officers acted. The intake was done well. They were glad that all members of the community were able to make a complaint.

- Relevant Policies and Practices; Training Considerations
 - o 103.5.8 Courtesy

Leiman asked if an officer was able to have the tow truck driver unhook the vehicle and let the people move on. They thought there should be more training on de-escalation. Berreth replied that officers have moved away from interacting with any camping related situations.

Cortez noted that during his time on the Board they had seen some failure from officers. They thought the video made it clear what everyone in the community tried to ignore. There was a great need for more training and better officer wellness initiatives.

Hames-Garcia stated that the courtesy policy was very detailed and clear. The officer was not courteous and therefore they were against policy.

Neal noted that the police are used for many different situations, and it can be hard to be prepared for everything. They said that there was always need for more trainings.

Whalen reminded everyone that the officers were called to the scene because the tow truck driver was uncomfortable. The officer did not have the right to say if the vehicle was towed or not.

- Adjudication Recommendations
 - o Sustained

Cortez said that the video was hard to watch. They imagined how hard it would be to live those situations.

All members of the CRB agreed with the adjudication.

Whalen struggled with this case since the officer seemed to want to help the second community member and tried to find the other vehicle.

8. Auditor Report

Pitcher said they would give a written report to the Board. They asked if the Board wanted to receive a written Auditor's Report before their meetings. The Board was interested in receiving that information.

9. Closing Comments

Hames-Garcia was glad they got to see a different type of allegation then normal. Officers are often put into situations where they must keep the peace. They stated that it was challenging and not something that could be done without training.

Conover said that communities around the country were looking at Eugene's CAHOOTS program. They stated that they could do the same and look at other communities.

Neal noted that they were asking officers to do something that is not easy.

Cortez appreciated that these cases were selected. The cases did not feel too small to them.

10. Adjournment

Chair Williams adjourned the meeting at 7:36 p.m.

(Minutes recorded by Lydia Dysart)

MINUTES
Civilian Review Board
Zoom Webinar

March 8, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Bernadette Conover, Vice Chair; Jose Cortez, Michael Hames-Garcia, Alan Leiman, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Leia Pitcher, Police Auditor's Office; Michael Klews, Jason Berreth, Cindy Coleman, Ryan Nelson, Joel Peckels, Eugene Police Department

ABSENT: Clay Neal, Bill Whalen.

Chair Williams convened the Civilian Review Board (CRB) at 5:32 p.m. Everyone present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

Williams said that they would need to talk about appointing new Human Rights Commission and Police Commission liaisons. However, they could wait to have that discussion until more members were present. Conover suggested revisiting the subject after their training topic depending on who was present.

MOTION: Conover moved, seconded by Cortez, to add an agenda item to talk about Board and Commission liaisons in between the training topic and the break. The motion passed unanimously.

Conover asked for Pitcher to send out a reminder for the Board about what they were allowed to shred themselves and what would need to be turned back into the Auditor's Office. They knew that there had been leniency with the virtual meetings but did not want there to be issues when they returned to in-person meetings.

Hames-Garcia arrived at 5:55 p.m.

Pitcher took the time then to remind people that when they took notes on the cases or during the meeting those were technically public record and had to be turned into the Auditor's Office. For now, members could scan that information and send it to Cox. When they returned to in person those documents would be collected after the meeting.

2. Minutes Approval (Minutes from February Meeting)

MOTION: Conover moved, seconded by Leiman, to approve February 8, 2022, CRB meeting minutes as presented.

VOTE: The motion passed – 5:0.

3. Comments from Board Members and Commission Liaisons

Cortez said that he had not heard from the Human Rights Commission in 2022. They had reached out a few times but had received a response. Pitcher asked Cortez to send them an email so they could connect them to a staff person to help. Pitcher noted that there were supposed to be new Human Rights Commission liaisons at the CRB meetings, but she had not seen them.

Leiman mentioned that the CRB meeting had not been noticed in the newspaper again. They added that when new members joined the Board there should be a process meeting going over information like what to do with notes. Leiman looked forward to meeting in person in the coming months and having more of those conversations around process and goals.

Hames-Garcia had brought up the courtesy policy question they had at the last CRB meeting to the Police Commission. The Chief said that it would be easy to add disability status to the list of what officers could not disparage against. Hames-Garcia added that they would not be continuing as the Police Commission liaison and would not be on the Board after the end of their term.

4. Public Comment

There was no public comment.

5. Training: Discussion and Q&A with the President of the Eugene Police Employee's Association

Pitcher introduced Michael Klews, the President of the Eugene Police Employees Association (EPEA), was there to talk with the Board about EPEA's role in the review process.

Klews stated that his role as President of EPEA was to make sure that the contract and labor law was followed. They maintained a good relationship with the Auditor's Office and made sure that all voices were heard in investigations. The EPEA Board was comprised of seven people.

Conover thought Klews did a good job in interviews of just asking clarifying questions. When they had been on the Board in the past questions had been asked that were defensive of the officer. Conover asked if Klews ever got feedback from officers about the CRB. Klews replied that overall, the process was very stressful for an officer. They believed that the process they had in Eugene was one of the best they had seen. The process was fair and comprehensive with equal application of corrective action. Klews said that CRB was a crucial part of the check and balance. They noted that most officers, once the process was over, wanted to move on and might not watch/attend/or read minutes from the CRB meeting.

Leiman found it refreshing to hear the attitude of the Union. They mentioned that how Klews went into the process was not always how President's saw it.

Hames-Garcia was curious, related to the comments from the Ad-Hoc Committee from the year before, if Klews had a wish list going into collective bargaining. Klews replied that there were always items on the wish list. They could not go into what was on the list since bargaining was still going on. Klews would be happy to answer that question once bargaining was over. They did state that there was not anything they specifically wanted to change related to the Auditor process.

Conover asked if Klews was on EPD before CAHOOTS was in Eugene. Klews replied that CAHOOTS had been present for a little over 30 years and he had been on the force for 20 years. Conover wanted to know if Klews thought there was more need for organizations like CAHOOTS in Eugene. Klews emphasized that CAHOOTS was a very valuable resource in the community. They remembered conversations around 2005, when CAHOOTS might have lost funding, about officers giving up a portion of their paycheck to keep them running. They were unsure if more CAHOOTS was needed because they could only go to situations that were not threats. It was easy to look back on situations and say that CAHOOTS would have been helpful, but they had to take precautions.

Klews mentioned that they did not always agree with Pitcher in their discussions. They appreciated that even when they disagreed, they were able to have a civil conversation.

Hames-Garcia asked what positive changes Klews had seen made to the Auditor process. Klews replied that since 2016 it had mostly stayed the same. They were not aware of what the process was like before that time. Klews noted that they were talking about reinstalling the mediation part of the process.

Foltz remembered a statement Klews made in a past meeting that stuck with them about the toll of responding to intractable problems at the police level on the street and those impacts. They wanted to hear more about what supports could be put in place to help relieve that feeling. Klews stated that it was often the smaller courtesy complaint interactions that accumulated and affected officers the most.

Klews stated that if anyone wanted to get together and talk with them one-on-one, they could get their contact information from Pitcher.

6. Board and Commission Liaison Discussion

Williams said that the only Board members who were not present were Neal and Whalen. They noted that Whalen would be leaving the Board once his term was over so they would not be nominating them.

Pitcher mentioned that City Council had to approve the Police Commission liaison appointee. They proposed postponing elections until their June meeting since City Council would also be appointing new members to the CRB. Leiman thought it would be confusing to have new members and be appointing new liaisons since there would be a lot of turnovers.

Williams was hesitating to do elections that night in case Neal was interested in one of the positions. Pitcher stated that they could gauge interest for the positions that night and go over the roles for each liaison.

Williams asked if anyone staying on the Board would be interested in serving as a liaison for either the Police Commission or the Human Rights Commission. Leiman wanted to hear more about the Police Commission before committing.

Hames-Garcia informed everyone that the liaison for the Police Commission acted as liaison for both groups. They said that the liaison also handled redirecting complaints taken to the Police Commission to the Auditor's Office. Pitcher added that the liaison had voting powers at both meetings.

Leiman asked if Hames-Garcia thought the liaison position was meaningful. Hames-Garcia believed that it was meaningful in certain situations. When CRB had comments they wanted to bring to the Police Commission it was helpful. They added that it depended on the leadership of the Commission. Pitcher noted that Conover and Foltz had both served as liaison to the Police Commission. Conover said that the liaison had insight into how policy was working and could communicate that with the Commission.

Pitcher said that the Human Rights Commission liaison worked differently. The liaison did not sit on the Commission and instead would speak during the public comment portion of the meeting. They mentioned that the Human Rights Commission had their own liaison to attend CRB meetings.

Pitcher asked if the Board was comfortable waiting at least until their next meeting to appoint new liaisons. Williams thought that was a good idea. They could discuss the possibility of waiting until June at another time.

7. Break

The CRB took a break from 6:28 p.m. to 6:33 p.m.

8. Case Review: Allegation Related to EPD's Search of a Vehicle

Foltz pulled up a slideshow entitled: "Case Review: Allegation Related to Search and Seizure."

I. Summary of Facts

- Officer A, Officer B, and Officer C were dispatched to a welfare check at a parking lot.
- An employee at a nearby business called the communication center to advise there was a person passed out in a vehicle in front of a business; the car was sitting in the traffic lane, straddling a speed bump.
- Officers responded to the location and contacted occupant of the car (Reporting Party) who was asleep in the driver's seat of the vehicle.
- Officers began asking the Reporting Party questions about alcohol and drug use prior to their stop.
- Eventually the Reporting Party opened their glove box while looking for documents requested by Officer A.
- Officer C was positioned on the passenger side of the vehicle when Reporting Party opened the glove box.
- Officer C motioned to Officer B and Officer A to remove Reporting Party from the vehicle.
- Reporting Party was removed from the vehicle, placed in handcuffs, and searched.
- Officer C told Reporting Party they believed they saw a handgun in the glove box of the vehicle and requested permission to search the vehicle.
- Reporting Party told Officer C there was no handgun in his glove box and did not consent to a search of his vehicle.
- Reporting Party was placed in the back of a patrol car and the three officers had a discussion with their BMV microphones muted.
- After their discussion, Officer A entered Reporting Party's vehicle and opened their glove box.
- Reporting Party filed a complaint with the Auditor's Office to complain that the officers were rude and searched their vehicle without their permission.

II. Allegations

- **322.7.3 - Search and Seizure:** Allegation that officer searched the reporting party's glove box in violation of policy.

III. Adjudication Recommendations

- Officer A – Search and Seizure
 - Auditor: Sustained
 - EPD Chain of Command: Insufficient Evidence
 - Chief Final: Within Policy

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Community Generated Complaint
 - Classification: Allegation of Misconduct

Williams disclosed that they were socially connected to the City Prosecutor who was consulted. They would not be biased based on that connection.

Hames-Garcia noted that there was a lot of alleged information in the investigation from the complaining party. They wanted to know more about how the search and seizure allegation was picked. Pitcher responded that after watching the video they understood that the focus of the complaint was on courtesy. At first glance Pitcher had not seen an issue with the glove box search and the case originally was being

investigated as an incident review. After the body worn camera footage was reviewed the glove box search became an issue and the investigation became an allegation of misconduct.

Cortez agreed with the classification. They felt that in this case there was a lot of interpretation of the facts to protect the officer. Cortez thought it was interesting how different the adjudications came out and thought at most there was not sufficient evidence. They emphasized that in these situations the language used was very telling.

Conover said that there were some situations where it was clear that body cameras were being muted for tactical reasons. In this case they could not understand why the officers muted the cameras. They found it troubling that there was no attempt to contact someone up the Chain of Command at the scene. Conover stated it would have been helpful if a report was written, even though no one was arrested. The lack of information available for Internal Affairs (IA) to investigate created a tough situation.

Leiman believed that the officers were looking for a way to arrest the individual for a DUI. Them asking about the syringe, muting their cameras, and then performing a search and seizure, made the case for that for Leiman. They found that the intake and classification was done well.

- Relevant Policies and Practices; Training Considerations
 - 322.7.3 Search and Seizure

Cortez was really frustrated that muting of body cameras continued to happen. They did not think it should be done for any reason. Cortez thought it made more sense to censor videos after the fact instead of being in situations where only those present knew what happened. They emphasized that no individual should oversee censoring themselves. Cortez stated that the automobile exception, “could only be applied if the vehicle is mobile when the officers come upon it in connection with a crime” and could not be used if “the vehicle was parked, unoccupied, and immobile”. They asked if all three of those had to be true for the automobile exception to not apply. Pitcher told them that was correct. As a result, Cortez disagreed with the statement that there was nothing in dispute.

Conover thought it was bad practice to call Street Crimes instead of someone up the Chain of Command in this case. Nelson acknowledged that Street Crimes were more knowledgeable in that situation, but they would have liked to see the officers contact the supervisor. Conover was concerned that this was seen as being within policy. They wanted the Chain of Command trained on how to have a conversation with legal counsel and how to believe them when they stated what the law was.

Leiman stated that in Oregon officers could stop a vehicle if for some reason they subjectively believed that a traffic infraction was committed, even if they ended up being wrong. They thought that the officers had been very cynical in the non-muted portions of the body camera footage.

Williams said that the amount of muting was clearly not tactical. If that was the policy than it had to be followed and only be done tactically. They agree with Cortez that no muting should be allowed. Williams wanted them to have Hames-Garcia take the body camera muting issue to Police Commission.

Hames-Garcia thought that his liaison role meant that they would share the conversations that the CRB had, but they would not be speaking for everyone. Whether they voted on it or not Hames-Garcia could bring the concerns to the Commission. Williams thought they should wait to vote on the issue until after the case review was finished.

Williams noted that the reporting party was read their Miranda Rights but later when the reporting party asked to talk to their lawyer the officer refused to allow them because, “they were handcuffed.” Leiman remembered that the request came before the Miranda Rights. Conover remembered the officer saying

they could not call their lawyer because they were handcuffed. Williams asked if that was normal policy. Pitcher replied that the Miranda Rights allowed someone to an attorney during questioning. If the officers were not questioning the reporting party than it was not against their Miranda Rights.

Hames-Garcia noted that it was almost the end of their third year on the Board. At one of the first meetings they attended Foltz expressed annoyance at the body cameras being muted. They stated that EPD had to be aware of the frustration around muting. Hames-Garcia was hesitant to say it was a training issue because at that point the policy had to be enforced. Conover stated that if officers said they were muting for tactical reasons nothing could be done.

- Adjudication Recommendations
 - o Chain of Command: Insufficient Evidence
 - o Chief Final: Within Policy
 - o Auditor: Sustained

Conover saw reason for sustained and for insufficient evidence. If the veteran officer had reached into the glove box Conover would agree with the Auditor's adjudication. They knew there should not be a difference in the adjudication of a newer officer and a veteran officer, but there was a distinction in their mind.

Leiman was bewildered that the search could be illegal, but the actions could be within policy. If the Chief really believed that the officer thought the search was in good faith, then they were okay with that adjudication.

Williams agreed with the Auditor's recommendation. They understood how there could be insufficient evidence. They appreciated that one of the officers had been questioning if the stop and search was done correctly. That mindset from the officer helped Williams agree with the Auditor's sustained recommendation.

Hames-Garcia agreed with the Auditor's sustained recommendation.

Cortez asked if someone could get a DUI for being asleep in their car while intoxicated. Nelson replied that they had to be able to prove that someone had been driving while intoxicated. Cortez inquired into if it was noted that the keys were in the ignition. Nelson did not remember. Williams thought there was conversations about the car running. Leiman noticed that the footage showed the lights were flashing. From that Cortez thought it was inconclusive. Cortez agreed with the Auditor's sustained adjudication.

Williams asked if they wanted to bring it to the Chief's attention that they did not agree with their adjudication, even if some members could understand it. They could either write a memo to the Chief or have Hames-Garcia bring it up at the next Police Commission meeting.

Pitcher wanted to note that the automobile exception part of the policy had been removed since the case had been investigated. It could still be important for the Chief to know how the CRB felt about the case. They just wanted the Board to know that there might not be more change.

Williams asked if there was interested in writing a formal memo to the Chief. Conover did not see a reason to do a formal memo.

MOTION: Leiman moved, seconded by Cortez, to inform the Police Commission that they were in favor of eliminating the exception of muting body cameras for tactical reasons.

VOTE: The motion passed – 4:1. Conover voted against the motion.

Conover felt uncomfortable voting since they did not clarify the process more. They were comfortable with Hames-Garcia bringing the discussion up at Police Commission but hoped that if a memo was sent that CRB got to approve it first. Hames-Garcia noted that they could do both. Pitcher mentioned that the next Police Commission meeting was on Thursday March 10, 2022, and they would not have time to write a memo. They could have Hames-Garcia bring it up and note that a more formal memo would follow at their next meeting. Conover and Cortez would be interested to hear what the Commission had to say in response to Hames-Garcia's comments.

MOTION: Hames-Garcia moved, seconded by Williams, to have Hames-Garcia bring up CRB's discussion of eliminating the exception of muting body cameras for tactical reasons and follow up with a formal memo to the Chief afterwards.

VOTE: The motion passed – 5:0.

Williams had some notes from Neal to share. Neal agreed with the findings and echoed the concerns in the Auditor's memo. They thought it would be helpful to have more training on search and seizure related to vehicles. When reading the complaint Neal was interested in seeing the officer's discourtesy. After reviewing the video, they had found the officers behavior to be professional. Nelson mentioned that at in-service that month they would be going over search and seizure related to vehicles.

9. Auditor Report

Pitcher stated that their staff was amazing, and they were working through a lot and catching up on cases. They really appreciated the discussion they had that night. The case was not what they usually saw, and a lot of interesting points were made.

Cortez asked if they would meet in-person for their April meeting. Pitcher replied that they believed City Council was planning to start meeting in-person in April. They wanted to wait and see how everything went with City Council's meetings concerning the technology since they wanted to keep meetings hybrid. Pitcher thought they would be back to in-person meetings likely in June.

Otero-Hernandez told everyone that CRB recruitment information would be emailed out to everyone shortly.

10. Closing Comments

Leiman thanked the Auditor's Office and EPD staff for their time and work.

Conover thought that with the sustained adjudication there was the knowledge that officers would be talked to about what they had done wrong. They worried that officers might not think about what they had done as they should unless they had to.

11. Adjourn

Williams adjourned the meeting at 7:48 p.m.

(Minutes recorded by Lydia Dysart)

M I N U T E S
Civilian Review Board
Zoom Webinar

April 12, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Bernadette Conover, Vice Chair; José Cortez, Michael Hames-Garcia, Clay Neal, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Beatriz Otero-Hernandez, Leia Pitcher, Police Auditor's Office; Jason Berreth, Cindy Coleman, Ryan Nelson, Eugene Police Department

ABSENT: Alan Leiman, Bill Whalen.

Chair Williams convened the Civilian Review Board (CRB) at 5:30 p.m. Everyone who was present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from March Meeting)

MOTION: Conover moved, seconded by Hames-Garcia, to approve the March 8, 2022, meeting minutes as presented. The motion passed unanimously.

3. Comments from Board Members and Commission Liaisons

Hames-Garcia shared that the Police Commission had a Diversity, Equity, and Inclusion (DEI) training at their last meeting. They mentioned that the liaison between the Police Commission and Human Rights Commission had also been vacant. Conover thought that there had been a few vacancies on the Human Rights Commission that might have contributed to their liaisons not being present.

Conover had appreciated the training topic at the last CRB meeting. They enjoyed hearing more about the Union worked.

Williams brought up that there were currently three vacancies on the CRB. They encouraged everyone to reach out to people in their networks who would be good for the Board. Pitcher stated that they would close application acceptance on April 15, 2022.

Williams said that the CRB Annual Report was currently being put together. They had talked about how it could be beneficial to add a link to the minutes for each case instead of writing a summary. Moving forward they would be clearer when stating their adjudications, so the record was correct. Conover asked if they could fill out a zoom poll at the end of each case review so each member could cast their vote with no confusion.

Cortez arrived at 5:42 p.m.

4. Public Comment

There was no public comment.

5. Case Review #1: Investigation into an EPD Employee's Response to a Complaint of a Juvenile Being Extorted

Eller pulled up a slideshow entitled: "Case Review: Allegations of Inadequate Preliminary Investigation, Failure to Know and Enforce Laws, Report Incident, Submit Evidence, and Untruthfulness."

I. Summary of Facts

- Officer A was dispatched to a harassment call.
- Reporting person (RP/concerned parent) informed Officer A that their juvenile (Victim) had been contacted by an unidentified person on social media (Snapchat). The unidentified person had obtained older, sensitive photos of Victim and send them to them.
- Officer A interviewed RP and their daughter. They told Officer A the unidentified person demanded additional nude photographs of Victim in exchange for deleting the sensitive photos. The unidentified person stated if their demands for new, nude images were not met, then the older, sensitive photos would be posted online.
- Officer A recommended the victim delete/limit their social media accounts and take a break from online activity. Officer A informed the victim that eventually the unidentified person would stop contacting them if they did not respond.
- Officer A told the RP and Victim the unidentified person's activities were felonies. Officer A informed the RP and Victim that the unidentified person may have been halfway around the world and identifying them would be difficult due to the anonymity provided by Snapchat.
- Officer A had the victim provide screenshots (evidence) of their interactions with the unidentified person. Officer A provided business cards to the RP and Victim and asked they contact them if they gathered intelligence regarding the unidentified person.
- Officer A did not write a report of his contact with the RP and Victim and did not transfer custody of the screenshots into evidence.
- Lieutenant C was informed by Lieutenant D that Officer A did not write a report of the contact with the RP and Victim. Lieutenant D assigned another officer to contact the RP and Victim and investigate the incident.
- Lieutenant C initiated an Internal Affair (IA) investigation for Officer A's handling of the incident.
- During an IA interview, Officer A stated their supervisor (Sergeant B) stated a report was not required for the contact with RP and Victim. An IA interview of Sergeant B was conducted. Sergeant B stated they did not recall commenting that a report was not required.

II. Allegations

- **405 – Preliminary Investigations:** that Officer A did not conduct an adequate preliminary investigation after they responded to the incident.
- **103.5.12 - Duty to Know and Enforce Laws:** That Officer A failed to take appropriate action, as required by department policy and practice, when they did not write a report on the incident.
- **103.4.1 - Judgement:** That Officer A did not demonstrate good judgement in their response to the incident.
- **103.5.22 - Report and Evidence Submission:** That Officer A did not submit evidence.
- **103.5.1a - Truthfulness:** That Officer A was not truthful in their administrative interview when they described a discussion of the incident with their supervisor, including the supervisor's response.

III. Adjudication Recommendations

- Officer A – Preliminary Investigations
 - Auditor: Within Policy
 - EPD Chain of Command: Unfounded

- o Chief Final: Unfounded
- Officer A – Duty to Know and Enforce Laws
 - o Auditor: Sustained
 - o EPD Chain of Command: Unfounded
 - o Chief Final: Unfounded
- Officer A - Judgement
 - o Auditor: Sustained
 - o EPD Chain of Command: Sustained
 - o Chief Final: Sustained
- Officer A – Report and Evidence Submission
 - o Auditor: Sustained
 - o EPD Chain of Command: Sustained
 - o Chief Final: Sustained
- Officer A - Truthfulness
 - o Auditor: Insufficient Evidence
 - o EPD Chain of Command: Insufficient Evidence
 - o Chief Final: Insufficient Evidence
- IV. Issues for CRB Discussion
 - Complaint Intake, Classification, and Monitoring
 - o Eugene PD Supervision Generated Complaint
 - o Classification: Allegations of Preliminary Investigations, Duty to Know and Enforce Laws, Judgement, Report and Evidence Submission, and Truthfulness

Hames-Garcia thought that the initial investigation (by Officer A) was not done well, but the Auditor's Memo talked about why that was done. They added that the second investigation was done well.

Neal stated that the back in fourth about how to classify the case was nice to see. They appreciated that the investigation was done thoroughly and that it was decided to do another investigation when it became clear something was not right.

Conover said it was helpful to see what was brought up and the allegations that were added as a result. They had never seen so much discussion and added allegations in their years on the CRB. Conover stated that it was a good sign. Conover asked why there was an attorney present for the interview process for the case. Pitcher replied that it was the officer's choice if they wanted to have a Union attorney present. They added that at that time the officer in question had a few IA investigations ongoing.

Williams thought that the questions asked in the investigation by Nelson were good and helped them understand the case more.

Cortez asked what the criteria was for determining if someone was untruthful. Pitcher responded that the policy standard was that an officer "shall be honorable and truthful when giving testimony or rendering a report". Conover asked if that meant that only an outright lie was against the truthfulness policy. Pitcher replied that an outright lie would violate policy, and that the legal standard for a workplace investigation was that it was "more likely than not" that the person acted in the manner described.

- Relevant Policies and Practices; Training Considerations
 - 405 Preliminary Investigations, 103.5.12 Duty to Know and Enforce Laws, 103.4.1 Judgment, 103.5.22 Report and Evidence Submission, 103.5.1a Truthfulness

Neal agreed that there was a lack of clarity on the officer's part on what the policy was. They did not know if that was bad judgment or a need for more training.

Conover said that at one point the officer said that a report was not written because “there was no solvability for it”. They asked if that was a real reason to not write a report. Nelson replied that there were a lot of reports written at EPD that had low solvability. The solvability had no relation to if a report should be written. Conover asked if it was written in policy that a report must be made if evidence was found. Nelson believed it was in the policy but had not read through the evidence policy recently.

Williams thought that the way that the initial investigation was done was respectful but was disappointed that the officer told the youth that they would move forward with the case when they did not even file a report. They had assumed that any time a member of a community made a complaint to an officer that a report would be written up. Nelson told them that it depended on the incident. If the complaint had no illegal action in it, they might not write a report. However, if someone wanted to move forward with a prosecution than an officer would write a report.

Cortez was looking at the 103.5.22 - Professional Standards, Report and Evidence Submission policy. They thought it should say that all evidence collected should be handed in and a report should be submitted and there should be no officer discretion. Nelson shared that those officers were taught what evidence was and it was not up to their discretion. They said that when evidence was found it had to be reported. Nelson said that there were more details in the report writing manual. Cortez thought that common sense should never be included in these situations.

Pitcher inquired into if the CRB would be interested in doing a tour of the Property Control and Evidence Control unit would be of interest. The Board replied that they were interested.

Hames-Garcia asked what happened to the screenshots that had been submitted into evidence. Nelson replied that the photos were on the officer's phone and when the case got reassigned, they sent them to the new officers on the case. Williams wanted to note that none of the photos involved were explicit.

- Adjudication Recommendations
 - Chain of Command: 1 & 2 – Unfounded; 3 & 4 – Sustained; 5 – Insufficient Evidence
 - Chief Final: 1 & 2 – Unfounded; 3 & 4 – Sustained; 5 – Insufficient Evidence
 - Auditor: 1 – Within Policy; 2, 3, & 4 – Sustained; 5 – Insufficient Evidence

For the Preliminary Investigation policy Conover agreed with the EPD Chain of Command that it was unfounded. For the Duty to Know and Enforce the Laws policy Conover agreed with the Auditor that it should be sustained. For the Judgment policy Conover agreed with everyone that it should be sustained. For the Report and Evidence Submission policy Conover agreed with everyone that it should be sustained. For the Truthfulness policy Conover agreed with everyone that there was insufficient evidence.

For the Preliminary Investigation policy Williams agreed with the Auditor that it was within policy. For the Duty to Know and Enforce the Laws policy Williams agreed with the Auditor that it should be sustained. For the Judgment policy Williams agreed with everyone that it should be sustained. For the Report and Evidence Submission policy Williams agreed with everyone that it should be sustained. For the Truthfulness policy Williams agreed with everyone that there was insufficient evidence.

For the Preliminary Investigation policy Cortez agreed with the Auditor that it was within policy. For the Duty to Know and Enforce the Laws policy Cortez agreed with the Auditor that it should be sustained. They found that allegation hard to decide because of the commonsense argument. Cortez was upset that the Chain of Command could find the policy unfounded. For the Judgment policy Cortez agreed with everyone that it should be sustained. For the Report and Evidence Submission policy Cortez agreed with everyone that it should be sustained. For the Truthfulness policy Cortez agreed with everyone that there was insufficient evidence. For that allegation they were curious as to why the Auditor found there was insufficient evidence. Pitcher replied that Officer A's statements were incorrect, but the supervisor was not clear in their memory of events as well. They did not want to make a sustained adjudication based off unclear testimony. An allegation of Untruthfulness had a huge impact on an officer's career, so they did not give a sustained lightly.

Hames-Garcia inquired into if there was a disagreement between the Auditor's Office and EPD about when to use the unfounded adjudication. Pitcher replied that they would continue to talk with EPD about the use of the unfounded adjudication. They tried to use the terms as defined in policy and protocols and would continue to do so unless the terms were redefined. Hames-Garcia thought it would be helpful to the CRB and the community for the Auditor's Office and EPD to be on the same page.

For the Preliminary Investigation policy Hames-Garcia agreed with the Auditor that it was within policy. For the Duty to Know and Enforce the Laws policy Hames-Garcia agreed with the Auditor that it should be sustained. For the Judgment policy Hames-Garcia agreed with everyone that it should be sustained. For the Report and Evidence Submission policy Hames-Garcia agreed with everyone that it should be sustained. For the Truthfulness policy Hames-Garcia agreed with everyone that there was insufficient evidence. They shared the same hesitancy that Cortez did surrounding the Truthfulness adjudications.

For the Preliminary Investigation policy Neal agreed with the Auditor that it was within policy. For the Duty to Know and Enforce the Laws policy Neal agreed with the Auditor that it should be sustained. For the Judgment policy Neal agreed with everyone that it should be sustained. For the Report and Evidence Submission policy Neal agreed with everyone that it should be sustained. For the Truthfulness policy Neal agreed with everyone that there was insufficient evidence.

6. Discussion on Selection of Liaisons to Police Commission and Human Rights Commission

Williams brought up that they had talked about moving the liaison elections to their January meetings. However, they did not always meet in January, so they suggested making liaison elections at their February meetings. Williams reminded everyone that the Police Commission liaison had to be approved by the City Council. Williams wanted them to elect new liaisons that night. Those liaisons would serve until February 2023. Pitcher noted that the Police Commission liaison might not get in front of City Council for approval before their June meeting. They could plan better in the next year to make it sooner.

Williams knew that Alan Leiman was interested in being the CRB liaison to the Police Commission.

MOTION: Williams moved, seconded by Neal, to nominate Alan Leiman for the position of CRB liaison to the Police Commission.

Conover was also interested in being the liaison to the Police Commission. However, they were not sure if they would be reappointed to the Board. Since Leiman would continue on the Board, they wanted them to serve in the position.

VOTE: The motion passed unanimously – 5:0.

Cortez was interested in continuing in their role as liaison to the Human Rights Commission. They had spoken with the current Human Rights Commission liaison to the CRB. If no one else was interested they would be happy to continue.

Neal was interested in being a liaison in the future but did not have the capacity at that time.

VOTE: The CRB voted unanimously to nominate Jose Cortez for the position of CRB liaison to the Human Rights Commission – 5:0.

7. Break

The CRB took a break from 6:51 p.m. - 6:57 p.m.

8. Case Review #2: Investigation into an Employee's Use of Force on a Juvenile

Eller pulled up a slideshow entitled: "Case Review: Allegations of Excess Use of Force and Failure to Document/Report Use of Force."

I. Summary of Facts

- Officer A was dispatched to Springfield and took custody of a juvenile (Juvenile) with an outstanding warrant. Officer A transported Juvenile to Lane County Youth Services for lodging.
- Lane County Youth Services staff refused to accept Juvenile due to their erratic behavior and requested a medical examination. Officer A transported Juvenile to University District Hospital (UDH). Officer A requested a cover officer (Officer B) to meet them at UDH.
- Officer A and Juvenile arrived at UDH and were joined by Officer B. While Juvenile walked down a UDH hallway they proceeded to walk faster than Officer A and Officer B. Officer A told the Juvenile to "knock it off." Then Officer A maintained a hold on Juvenile's handcuffs as they navigated UDH.
- Juvenile, Officer A, and Officer B entered an examination room. Officer A instructed Juvenile to sit on an examination bed, then Juvenile called Officer A "bitch," and turned facing Officer A. Officer A grabbed the head and neck/shoulder of Juvenile and led them to a squatted position. Officer A then grabbed Juvenile's arm, helped them stand up, and directed them to sit on the examination bed.
- Juvenile complained of an injury to their neck from the contact with Officer A. Staff at UDH conducted an examination and cleared Juvenile for detention at Lane County Youth Services.
- Officer B notified their supervisor of the incident and said the force was unnecessary.
- A review of the incident revealed Officer A did not document the use of force in a report, did not notify their supervisor, and did not make a BlueTeam entry.
- Lieutenant C initiated an Internal Affairs (IA) investigation for Officer A's actions.

II. Allegations

- **800.2 - Use of Force:** That Officer A used force in excess of that which was reasonable under the circumstances in their takedown of EPD Custody.
- **800.6 - Reporting the Use of Force:** That Officer A failed to appropriately report their use of force on EPD Custody, including:
 - Failing to document the use of force in their police report
 - Failing to notify their supervisor of the use of force
 - Failing to complete a Use of Force BlueTeam entry

III. Adjudication Recommendations

- Office A – Use of Force

- o Auditor: Within Policy
- o EPD Chain of Command: Within Policy
- o Chief Final: Within Policy
- Officer A – Reporting the Use of Force
 - o Auditor: Sustained
 - o EPD Chain of Command: Sustained
 - o Chief Final: Sustained

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - o EPD Supervision Generated Complaint
 - o Classification: Allegations of Preliminary Investigations, Duty to Know and Enforce Laws, Judgment, Report and Evidence Submission, and Truthfulness

Williams found that the investigation was appropriately conducted and effective. They felt encouraged when the case was an internal report. It showed there were people in the department who wanted change. Hames-Garcia concurred. They were glad there was a system in place to catch these cases.

Conover noted that the presentation they saw said that Officer B had found the use of force excessive. However, after reading the materials they thought Officer B just noticed that the use of force was not documented in the report. Pitcher replied that during the investigation Officer B gave that description. Conover stated that they saw the interaction as a controlled fall. They wondered what made the interaction forceful. Officer A's hands on the youth's head and neck was concerning. Pitcher said that a reportable use of force was any intentional act by any EPD employee that resulted in a subject's physical injury. Conover questioned if it was intentional.

- Relevant Policies and Practices; Training Considerations
 - o 800.2 Use of Force
 - o 800.6 Reporting the Use of Force

Cortez asked if it was determined that the youth's injuries came from the interactions with Officer A. Pitcher replied that no tests were done, but they were only made aware of any pain after the interaction.

Hames-Garcia read the information before watching the videos. They were surprised that the interaction was not more physical. While they understood the thought process behind not reporting the incident, since the youth reported pain, they should have written a report.

Neal thought the incident should have been reported right after. Even if the use of force was reasonable, it should have been reported. They stated that pulling an individual's hair should not be within policy.

Conover asked if any injury that an individual got, self-inflicted or not, while in police custody had to be reported. Pitcher replied that it was common for officers to report an injury. If someone fell and got hurt on their own, an officer would normally write that in their report.

Williams agreed with Neal that any hair pulling or potential action that resulted in an injury should be reported as use of force. They did not like that Officer A used the youth being threatening as a reason to use force. Nelson shared that pulling hair was a use of force. However, there was a difference between use of force and a reportable use of force.

Williams inquired into if there was a difference between use of force between a youth and an adult. Nelson responded that they were treated the same. They took information into consideration when determining if there was force used. Pitcher added that factors such as age, size, relative strength, and skill level were considered.

- Adjudication Recommendations
 - o Chain of Command: 1 – Within Policy; 2 – Sustained
 - o Chief Final: 1 – Within Policy; 2 – Sustained
 - o Auditor: 1 – Within Policy; 2 – Sustained

Hames-Garcia noted that the Auditor, the EPD Chain of Command, and the Chief agreed on their adjudications. They said that they agreed with the adjudications made. Neal agreed as well.

Conover understood Officer A's questioning of what the definition of an injury was. They agreed with both adjudications.

Williams agreed with both adjudications. Cortez concurred.

9. Auditor Report

Pitcher mentioned that the CRB membership application would close on Friday April 15, 2022. They encouraged everyone to reach to people they thought would be a good addition to their group. Beatriz Otero-Hernandez had been contacting members of the community and those who had applied but not been selected to be on the Board in the past.

The Auditor's Office was working on their annual report. They would soon be giving a presentation to City Council about the history of police oversight in Eugene and how the CRB process worked. Pitcher had been doing a lot of outreach. They would be teaching at a University of Oregon law class the following week.

Pitcher said that they were working on their public portal still. They would decide on who would be making the portal soon.

The Auditor's Office was working with EPD to flesh out their mediation process.

Conover wanted the Auditor's report to be put after the agenda in their packets.

10. Closing Comments

Conover hoped that they would get to meet in person again soon. Williams mentioned that their training next month might be in person. Pitcher replied that it would be. They said that City Council had met, and they would be contacting staff to see if they could use that hybrid set up for their meetings.

11. Adjourn

Williams adjourned the meeting at 7:43 p.m.

(Minutes recorded by Lydia Dysart)

M I N U T E S
Civilian Review Board
Zoom Webinar

June 14, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Bernadette Conover, Vice Chair; Jose Cortez, Michael Hames-Garcia, Alan Leiman, Clay Neal, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Beatrice Otero-Hernandez, Leia Pitcher, Police Auditor's Office; Jason Berreth, Cindy Coleman, Ryan Nelson, Eugene Police Department

ABSENT: Bill Whalen.

Chair Williams convened the Civilian Review Board (CRB) at 5:30 p.m. Everyone who was present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from April Meeting)

MOTION: Hames-Garcia moved, seconded by Conover, to approve the April 12, 2022, CRB meeting minutes as presented. The motion passed unanimously – 5:0:1. Leiman abstained from the vote.

3. Comments from Board Members and Commission Liaisons

Hames-Garcia said that the Police Commission met the previous week. They revisited the de-escalation policy. They believed that the conversations were productive. There was a lot of feedback, from a CRB perspective, on the policy. Hames-Garcia hoped there would be an updated de-escalation policy soon.

Leiman thanked the Board for recommending them as the new Police Commission Liaison even though they were absent at that meeting.

Conover said that the tour of the evidence and property lockers was eye-opening. They were disappointed that only themselves and Neal were present.

Williams asked if there had been any new applicants for the Board. Pitcher replied that City Council met the night before to reappoint Conover and to appoint Rick Roseta and Monique Griffin. They mentioned that Roseta was on the Board previously. They did not think the new members would have their background checks done by the July meeting.

Cortez was saddened they could not make it to the evidence locker tour. They were excited to hear that Roseta would be joining the Board again, as well as the other new member.

Pitcher announced that they had found a public meeting room that allowed a hybrid option. Unfortunately, the room was not available. They reminded the Board that they were required to provide a hybrid option.

4. Public Comment

There was no public comment.

5. Training Topic: EPD School Safety Practices

Nelson said that most of the training that night would be in a question-and-answer style, but they had some information to share first.

In a breaking and entering situation, where there was no threat of violence, EPD officers were training to wait until enough officers arrived at the scene. EPD would then set up a perimeter around the building. They would then slowly go through the building room by room. All closets and potential hiding spots would be checked. Nelson stated that allowed officers to move through the building knowing that no threat was behind them. In situations where there was gun fire or screams, officers would quickly move towards those noises and bypass checking all rooms.

Conover asked what the response time would be, specifically in an active shooter situation, at schools who no longer had school resource officers (SRO). Nelson replied that the time depended on how close an officer was to the school.

Conover inquired into if there was any concern with officers not knowing the layout of the schools since SROs were no longer present. Nelson responded that being unfamiliar with a building could delay officers.

Pitcher wanted to know what EPD was doing in collaboration with the 4J district since they got rid of their SROs. Nelson said that they were on the 4J Threat Assessment Team. They helped set the team up using a national model. That was EPD's only involvement.

Williams asked if there was policy stating how officers should move through a building in an active shooter situation. Nelson was not aware of any policy. They said that the judgement policy was the closet they could think of. Pitcher added that neglect of duty was also relevant. Pitcher mentioned that cases had been opened against an EPD officer for lack of action.

Conover asked how EPD would act if there was a situation where another jurisdiction was in charge. Nelson replied that if EPD policy was being followed, the other jurisdiction would lead the situation.

Neal inquired into if any data was being track before and after taking SROs out of schools. Nelson said that information was available that could be tracked, but they were not currently doing so.

Nelson mentioned that before the contract ended for SROs, EPD had a special relationship with those schools. They explained that SROs would handle situations that the non-emergency call line would deny (like being present for a teacher who was worried about an interaction with a parent).

Neal thought it was important to have data to analysis. It would give them insight into what was going on in their area and was a crucial part of the work. Nelson mentioned that before the SRO contract was ended a lot of data was analyzed.

6. Break

The CRB took a break from 6:34 p.m. - 6:42 p.m.

7. Case Review: Investigation into Officers' Violation of Arrest Policy Including Delayed Transport of Suspect and Extensive Period of Time in Handcuffs

Foltz pulled up a slideshow entitled: "Case Review: Allegations that Officers Violated the Arrests Policy by Failing to Transport Suspect to a Proper Facility as soon as Possible and Mistreated the Suspect Leaving Them in Handcuffs for an Extended Period of Time."

I. Summary of Facts

- This was an internally generated complaint, made by witnessing officers.
- Officers A & B arrested the suspect for violating a park restriction.
- During the arrest process they placed the suspect in handcuffs and inventoried his backpack for lodging at the jail. They discovered drugs in the backpack and packaging materials. They also found a small, locked container in the backpack that the suspect denied them permission to search.
- They drove to the evidence control unit and left the suspect handcuffed in the back of the vehicle for over an hour while they inventoried and documented the contents of the backpack.
- Though they did episodically check on them and eventually moved the handcuffs to the front of the suspect's body for comfort, they did not actively monitor the suspect and denied them access to a restroom when requested.
- The suspect was in handcuffs in the back of the vehicle for over an hour and a half.
- Officers A & B eventually requested for another officer to transport the suspect to the jail

II. Allegations

- **300.2.b Arrests** – That Officers A and B violated the arrests policy by failing to transport the suspect to a “proper facility as soon as possible”.
- **300.2.c Arrests** – That Officers A and B mistreated the suspect by leaving them in the patrol car in handcuffs for an extended period of time.

III. Adjudication Recommendations

- Officer A – Arrests
 - Auditor's Office: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Officer A – Arrests
 - Auditor's Office: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Officer B – Arrests
 - Auditor's Office: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Officer B – Arrests
 - Auditor's Office: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Eugene PD supervision generated complaint based on concerns from witness officers.
 - Classification: Allegation: violation of arrest policy.

Leiman wanted to note that this case was officer generated. They brought up that an officer who was in the break room, and who was also interviewed, said that “units were up to shady stuff in the park”.

Leiman thought that there should have been more follow-up on what the officer was talking about. They also were annoyed that there was more officer body-camera muting.

Conover appreciated that it was a newer officer who made the complaint on a more senior officer. They mentioned that one of the interviewed officers said that they “split these things up to be as efficient as possible”. However, it would have been more efficient to drive the individual to the jail first since it was close.

Williams mentioned that Officer A had said in the interview that they wished they had taken the arrested individual to headquarters holding cell. They asked how common it was to put someone who had been arrested into the headquarters cell instead of taking them to jail. Nelson replied that holding cells were not used often. They were usually used when an officer off duty was being called in and they needed to hold the individual until the officer could arrive.

Cortez inquired into what protections the reported officers had against retaliation and if it was an anonymous process. Nelson replied that the officer had rights to a copy of the investigation once it was completed. If it was a workplace misconduct issue than HR did not release that information for safety reasons. Pitcher added that it was not anonymous.

Cortez asked if EPD had data on the average time an arrested individual was being transported. Nelson was not sure but thought some data would be available. They noted that transportation time varied widely. Pitcher mentioned that the Auditor’s Office got complaints about individuals being left in handcuffs for too long.

- Relevant Policies and Practices; Training Considerations
 - o 300.2.b Arrests, 300.2.c Arrests

Conover agreed with the policies that were brought up. They assumed the body camera muting was not brought up because it was hard to attach a policy to it. Pitcher told them that they used the body camera policy when it was outrageous. Policy changes were also coming down the line. They hoped muting of the cameras would stop.

Cortez wished that they did not allow any muting and left it to the people in records redact any sensitive information.

Hames-Garcia brought up that at a past Police Commission meeting the Chief stated that they supported cameras always being on and never being muted. Hames-Garcia agreed that information could easily be redacted after the fact.

- Adjudication Recommendations
 - o Chain of Command: Sustained
 - o Chief Final: Sustained
 - o Auditor: 1 – Sustained

Cortez liked when there was agreement across the board on what was expected of officers.

Leiman thought part of the reason there was agreement was because the two officers investigated where seemingly punishing the person for not providing the lock key. Conover did not agree that it was a punishment. They thought that the officers believed that it would not take long. Leiman wanted to clarify that the failure to provide the key for the lock might have resulted in officers taking the extra trip.

The CRB unanimously agreed with the adjudications given by the Chain of Command, EPD Chief, and Auditor.

8. Auditor Report

Pitcher stated that they were looking at finding a new office. They had outgrown the space. They were looking to find a space that had a room for CRB meetings.

The Auditor's Office was working on the annual report. It would be sent out to Conover and Williams that night and hopefully the rest of the Board by the end of the week. They would be reporting the information to City Council on June 27, 2022.

City Council would address in a work session on June 15, 2022, how they would permanently fill the Auditor position. Pitcher was not involved in those discussions. Cortez asked who they could contact to give their feedback on the Auditor position. Foltz would provide the email address that went to all City Council members in the meeting chat.

9. Honor Outgoing CRB Members Bill Whalen and Michael Hames-Garcia

Williams thanked Hames-Garcia for all the work they had done on the Board over the last several years. Pitcher concurred and wished that Whalen had been able to attend their last meeting.

Neal thanked Hames-Garcia for their work and what they had taught them during their time on the Board.

10. Closing Comments

Cortez supported in-person CRB hybrid meetings.

Hames-Garcia enjoyed their time on the Board. They said that the work had informed their teaching and research.

Leiman said that Hames-Garcia's contributions to the discussions would be missed.

Conover appreciated the conversations that came out of their disagreements with Hames-Garcia. They said that it was crucial for Board members to have different upbringings and perspectives. Without them they would all just agree with each other and have no productive conversations.

Williams wanted to acknowledge how the Board always did a good job of being cordial in their discussions.

11. Adjourn

Williams adjourned the meeting at 7:43 p.m.

(Minutes recorded by Lydia Dysart)

MINUTES
Civilian Review Board
Zoom Webinar

July 12, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Bernadette Conover, Vice Chair; Monique Griffin, Alan Leiman, Clay Neal, Rick Roseta, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Beatrice Otero-Hernandez, Police Auditor's Office; Cindy Coleman, Sergeant Joel Peckels, Eugene Police Department

ABSENT: Jose Cortez.

Chair Williams convened the Civilian Review Board (CRB) at 5:30 p.m. Everyone who was present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

Williams mentioned that they wanted to talk about the materials for future meetings, but that could just be done in closing comments.

2. Comments from Board Members and Commission Liaisons

Williams shared that they attended the City Council meeting and presented the CRB review. They talked about some of the cases they had looked at and explained the CRB process. They also encouraged the Council to hire Leia Pitcher, Foltz, and Eller permanently.

Cindy Coleman joined the meeting at 5:35 p.m.

Leiman wanted more guidance for how members were supposed to look at the open case summaries that are included at the end of their packets. They were glad that all the information was available to the public for transparency but found it unrealistic to redo the entire investigation.

Bernadette Conover joined the meeting at 5:36 p.m.

3. Minutes Approval (Minutes from June Meeting)

MOTION: Conover moved, seconded by Neal, to approve the June 14, 2022, CRB meeting minutes as presented. The motion passed – 4:0:2. Griffin and Roseta abstained.

4. Public Comment

There was no public comment.

5. Training Topic: Auditor's Office Annual Report

Foltz pulled up a slideshow entitled: "2021 Annual Report". They noted that this was the information presented to City Council.

Foltz said that the mission and purview for the Auditor's Office was to provide an accessible, safe, impartial, and responsive intake for complaints against Eugene Police Department (EPD) employees. They also were tasked with ensuring accountability, fairness, transparency, and trust in the complaint system through the intake, classification, auditing, and adjudication process of the complaint system. The

Auditor's Office oversaw supporting and staffing a CRB that monitored their work, reviewed complaint cases, and provided policy recommendations to EPD and the Police Commission.

Foltz said that the Auditor's Office was only under the Mayor and City Council's direction. They emphasized that they did not sit under EPD.

The Auditor's Office oversaw complaint intake, classifying complaints (only done by the Auditor), monitoring the investigations, recommended adjudications, recommended policy and training, reported to the community, and supported the CRB.

In 2021 there were 289 complaints investigated, 50 of which were dismissed. Reasons for those 50 dismissals were the complaint being outside the jurisdiction, not reported in time as defined by the City Code, employee not being identifiable, and an alternative remedy being available.

Foltz explained that there were five complaint classifications that the Auditor could choose: service/policy complaint, inquiry, incident review, allegation of misconduct, and allegation of criminal conduct.

While in 2021 they had fewer complaints than the last few years, there were more intensive complaints than any previous year going back to 2016.

Conover asked if these were cases closed in 2021 or opened in 2021. Foltz replied that they were cases based on complaints taken in 2021. They mentioned that there were still a few open cases (these were included in the annual report). It was unusual for there to be so many open cases left over from the previous year. Foltz believed that was because the Auditor's Office had been understaffed.

Foltz gave a breakdown of the types of discipline that were used, a result of a sustained allegation. One employee was suspended, one employee was put on probation, one employee received coaching, one employee resigned prior to any corrective action, three employees received oral reprimands, three employees received day suspensions, eight employees had to take documented counseling, and one employee was terminated.

There were a lot of administrative changes to the Auditor's Office in 2021. Mark Gissiner retired, and Leia Pitcher became the Interim Auditor. Foltz said that the Office had successful recruitment and was able to hire on more staff. A public portal for complaints was being created for the website. It would allow people to log into their account and follow the process for their complaint. This program would make it easier for the Auditor to follow up with the reporter.

Foltz shared some of their 2022-2023 goals. The Auditor's Office wanted to increase accessibility and diversity, equity, and inclusion (DEI). They shared that Leia Pitcher had been given funding for the purpose of hiring someone to help with DEI. The Office was also looking to relocate to a new space. They planned to include a room for CRB to meet in the new space. Foltz said that they hoped to increase their outreach and ongoing collaborations.

Leiman noted that the current Auditor's Office was in an accessible place for the public to reach. They emphasized that any new location should have that as well. Williams concurred. Being able to anonymously walk into the Office was beneficial to everyone.

Williams was surprised that only 20 officers received discipline from the 289 investigations that were completed. Foltz told them that the full report went into more detail. Also, they had only went over discipline from sustained allegations.

6. Break

The CRB took a break from 6:15 p.m. - 6:25 p.m.

7. Case Reviews: Service Complaints and Incident Reviews

Eller pulled up a slideshow entitled: “CRB Case Summaries July 12, 2022”.

1. Case #1: U-Haul

- Summary of Facts
 - RP complained their civil rights were violated, and they were racially profiled.
 - Classified as an Incident Review and investigated by Internal Affairs
 - Sgt. A conducted a traffic stop on a driver (RP) of a U-Haul truck for speeding. Dispatched advised Sgt. A U-Haul was a stolen vehicle.
 - Sgt. A removed RP from the U-Haul with a drawn service weapon. Other officers aided the traffic stop.
 - RP was told the U-Haul was reported stolen, and they were detained.
 - After field investigation, officers determined RP and U-Haul usage was unclear (contract ambiguity) and should be considered a civil matter. U-Haul employee retrieved U-Haul, and RP was released.
 - Internal Affairs' investigation determined the complaints were unfounded.

- CRB Discussion

Neal mentioned that they had talked previously about how racial information was taken during police stops. They thought it would be helpful to have data on perceived race before stop and perceived race after the stop.

Leiman inquired into if these incidents were routed through a supervisor instead of Internal Affairs. Eller told them that the incident was referred to Internal Affairs, who conducted the review. It was their determination that decided the complaint was unfounded. They added that most service complaints went to field supervisors.

Conover noted that service complaint reviews were different than the normal incident reviews. They thought they should have started with another review. They had some problems with the video clipping in and out.

Williams agreed with the decision to find the complaint unfounded. They emphasized the importance of body-worn video. It was through the video that they were able to see that what was said was not as insulting as the RP had stated. Williams wanted them to continue looking at the racial aspect of cases. For this case, they did not see it as an issue.

2. Case #2

- Summary of Facts
 - Lane County Sheriff's Office Sgt. A contacted Eugene EPD Lt. B.
 - Sgt. A told Lt. B when RP was admitted to the Lane County jail, RP said they were raped by Eugene PD Officer C (transported RP to jail).
 - Classified as an Incident Review and investigated by Internal Affairs.
 - Eugene PD Internal Affairs Sgt. D responded to the jail and interviewed the RP. RP claimed Officer C made inappropriate contact with RP, when RP was handcuffed. RP did not make an allegation of rape during the interview.

- Sgt. D reviewed the incident video and stated the footage did not show inappropriate contact between Officer C and RP.
- Internal Affairs' investigation determined RP's complaint was unfounded.

- CRB Discussion

Leiman stated that it was critical for an Internal Affairs employee to be investigating the incident instead of a line supervisor. They agreed with what Williams said about how body-worn video helped.

Conover found this case easier to track than the last one. They agreed with finding the complaint unfounded.

Roseta asked when the decision was made to classify this as an incident review instead of an allegation of criminal misconduct. Specifically, if it was done before or after watching the body-worn video. Eller did not want to speak for Pitcher, but they believed Pitcher had watched the tape before it was classified. Foltz added that incident reviews and inquiries could be reclassified. If they started with an allegation of criminal misconduct, it would have stayed in that class. Sergeant Peckels added that Pitcher had all the information available at once.

Williams agreed with the decision made by Internal Affairs. They thought that if body-worn video had not been available than the incident would have been classified differently.

3. Case #3 – Allegation of Improper Seizure

- Summary of Facts

- RP complained officers busted down their door, drugged and raped them, then arrested them. RP said \$20,000 in US currency was seized from them and was not returned to them.
- Classified as an Incident Review and investigated by Internal Affairs Sgt. A. Investigation included review of body-worn video, in car video, police reports, CAD, and RP interview.
- In a 5-hour and 56-minute time period, RP called 911 approximately 150 times; all calls were determined to be illegitimate. EPD officers attempted to aid RP and were unsuccessful in their communications with RP.
- Based on RP's misuse of 911 services, EPD Officer B obtained a search warrant for RP's residence, and EPD officers executed the warrant. RP was arrested and lodged in the Lane County jail. During the search of the RP's residence, \$15,804 in US currency was located. The currency was not seized; it was lodged into Lane County jail as RP's property (for safekeeping).
- Sgt. A confirmed RP's funds were lodged as RP's property, and a check for \$12,804 was issued to RP when they were released on bail (\$3,000 of funds were used by RP to post bail).
- Internal Affairs' investigation determined RP's complaint was unfounded.

- CRB Discussion

Conover appreciated that the phone call RP made to the Auditor's Office making the complaint was included. This showed the RP's mental state and put the incident into perspective.

Williams thought this was interesting because RP had many complaints. It turned out that one complaint, EPD taking the money, turned out to be true. They understood that after a warrant was executed in such a way (kicking down the door) if it was normal to take the money and not secure any other belonging. Sergeant Peckels noted that the apartment maintenance was contacted, and they were charged with securing the location.

Williams again emphasized how useful the body-worn video was.

Neal agreed that having the phone call and body-worn video was very important and made reviewing the incident easier.

Leiman thought EPD showed a lot of patience when dealing with the situation. A lot of time was spent on trying to get RP out of the apartment before they requested the warrant. They mentioned that it would be a big deal to someone to go into jail with cash and come out and be given a check.

Griffin noted that there was clearly a mental health problem with RP. They asked if there was any outreach from mental health providers. Conover replied that there might not have been mental health help until after the individual was released from jail because the main tool, CAHOOTS, would not join in on a situation with a warrant.

4. Case #4 – Use of Force

- Summary of Facts
 - o Lane County Sheriff's Office Sgt. A contacted Eugene PD Internal Affairs Sgt. B.
 - o Sgt. A told Sgt. B when RP was admitted to the Lane County jail, RP said they were injured by Eugene PD Officer C during their arrest.
 - o Classified as an Incident Review and investigated by Internal Affairs.
 - o Sgt. B and Sgt. D responded to the jail and interviewed the RP. RP claimed Officer C pulled them from their vehicle and threw them into the ground. RP claimed the arrest caused damage to their side and shoulder.
 - o Sgt. B reviewed the incident video and reports. Sgt. B stated RP was driving a stolen vehicle and was traffic stopped by Officer C. Sgt. B stated RP resisted arrest and Officer C removed them from the vehicle. Sgt. B stated Officer C's actions were normal and did not qualify as a reportable use of force.
- CRB Discussion

Neal was worried that there was minimization of potential injury after watching the video. However, after looking at everything they agreed with the outcome of the incident.

Leiman said that RP got pulled out of the car fast and the officer had to make a quick decision. They did not find an issue with the way that the officer acted.

Conover asked if the individual involved was the RP or if the Lane County Sheriff's Office made the complaint. Eller responded that the individual complained to the Lane County Sheriff's Office, and they passed the complaint on to EPD.

5. Case #5 – Constitutional Rights/Unlawful Search

- Summary of Facts
 - o RP complained their civil rights were violated and alleged Officer A conducted an unlawful search of their residence's bedroom without permission.
 - o Classified as a Service Complaint and investigated by field supervisor.
 - o Officer A responded to RP's residence. Officer A requested and was granted permission to enter RP's residence. RP had a child who was present at RP's residence, in violation of a restraining order.
 - o Officer A determined RP's restraining order was not on file. RP said they had a copy of the restraining order and went inside their bedroom to search for the copy of it. Officer A followed RP to the bedroom and utilized their (Officer A's) flashlight to illuminate the

room. RP asked Officer A to step outside of their residence and Officer A complied.
[Note – The restraining order discrepancy was resolved, and the child was removed.]

- o Sgt. B reviewed the incident video and spoke with Officer A. Sgt. B stated the footage did not show an unlawful search or civil rights violation.

- CRB Discussion

Neal noted that there was an issue with the paperwork and putting the wrong name. They were glad to see that EPD handled the incident well even with the confusion. Neal agreed with the classification.

Leiman did not have an issue with the training that was done to produce this outcome. They wanted it clarified that this service complaint was reviewed by the Auditor's Office. Eller replied that they reviewed it right away.

Roseta thought it was smart for the officer to follow the individual. The individual might have come back with a gun. Roseta did not see any constitutional right being violated, the officer was not told they could not be in there. Eller agreed and added that the field supervisor said the same thing. Griffin concurred.

Williams wanted to make it clear that the child in this situation was an adult.

6. Case #6 - Performance

- Summary of Facts

- o RP complained Officer A improperly handled a traffic incident after RP had an altercation with the driver of a second vehicle (Driver B).
- o Classified as a Service Complaint and investigated by field supervisor.
- o RP said Officer A should have pursued criminal charges against Driver B. RP felt Driver B followed RP too closely and created a danger to RP [Note – RP was operating a motorcycle.] RP stopped their motorcycle in a lane of traffic, walked to Driver B's vehicle, and confronted Driver B. Driver B responded to RP's actions, produced a shovel, and threatened RP.
- o RP told Officer A they wanted to press charges against Driver B for the threat of physical injury. Officer A explained to RP parking in a lane of traffic to confront Driver B was a poor manner to handle the incident. Officer A told RP they both were disorderly and could be cited.
- o Officer A explained to Driver B and RP proper techniques to handle disputes with other vehicle operators. Officer A did not cite RP or Driver B.
- o Sgt. C investigated the incident and determined that Officer A's actions were appropriate. Sgt. C spoke to RP and explained their findings.

- CRB Discussion

Leiman had no patience for road rage and thought the situation was handled well.

Conover always thought about how officers chose which vehicle to go to first. They wondered the situation might have gone differently if the officer went to the person driving the motorcycle first. Conover were glad that the officer took time to explain to the motorcycle driver how to handle the situation better in the future.

8. Auditor Report

Pitcher had written up a report for everyone talking about the number of complaints and how hard working the staff was.

Otero-Hernandez shared that they had secured a booth at the Asian Celebration Saturday July 30, 2022, from 10:00am – 8:00pm at Alton Baker Park. This was one of the first opportunities they had to get back in contact with the community. Invitations to the event had been shared with the Police Commission and staff from the Office of Equity & Community Outreach (formally the Human Rights office). They extended the invitation to all CRB members. Otero-Hernandez was planning on having two people at the booth for two-hour shifts.

9. Closing Comments

Williams noted that they would not be meeting in August. They inquired into if the Board wanted to cancel their September meeting as well. There was no discussion and Williams said they would meet next in September. They hoped they would have the opportunity to meet in person.

Neal was excited to have some new members on the Board. They looked forward to future discussions. Leiman concurred.

Conover recommended Griffin go back and watch/read minutes for discussions CRB had for a normal case review.

10. Adjourn

Williams adjourned the meeting at 7:41 p.m.

(Minutes recorded by Lydia Dysart)

MINUTES
Civilian Review Board
Zoom Webinar

September 13, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Bernadette Conover, Vice Chair; Jose Cortez, Monique Griffin, Alan Leiman, Clay Neal, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Beatrice Otero-Hernandez, Police Auditor's Office; Lauren Sommers, City Attorney's Office.

ABSENT: Rick Roseta.

Chair Williams convened the Civilian Review Board (CRB) at 5:31 p.m. Everyone who was present introduced themselves. There was a quorum present.

1. Agendas and Materials Review

Williams noted that they would be approving the minutes from the July CRB meeting, not the August meeting. They wanted to wait to approve the minutes until after comments from Board members.

2. Comments from Board Members and Commission Liaisons

Williams wanted to hear an update on the new Auditor's Office building.

Leiman reported that there was no Police Commission in September. At the August meeting the Commission talked about the Dove Medical protests and the mutual-aid policy. This included conversation around the control Springfield and Eugene had over each other. The Commission also received a presentation from Crisis Assistance Helping Out On The Streets (CAHOOTS).

Clay Neal joined the meeting at 5:35 p.m.

Cortez shared that they have still not heard back from the Human Rights Commission (HRC).

3. Minutes Approval (Minutes from July Meeting)

MOTION: Leiman moved, seconded by Cortez, to approve the July 12, 2022, CRB meeting minutes as presented. The motion passed unanimously – 5:0.

4. Public Comment

There was no public comment.

Monique Griffin joined the meeting at 5:46 p.m.

5. Training Topic: City Attorney

Lauren Sommers, from the City Attorney's Office, was there to give a presentation on public meeting and public meeting laws.

Sommers explained that the Public Records Law, generally, requires that the public be given access to records and documents that are created, used, or kept by the City. A public record was any record that contains information related to the conduct of the public's business and that is owned, used, or retained by the city (handwritten notes, agendas, emails, etc.). They stated that everyone had the right to inspect public records that were not exempt from disclosure. State law exempted some materials from the law,

including attorney-client privileged communications, records related to personnel discipline, trade secrets, and more. The Public Meeting Law applied to situations where a quorum of an entire board was present, and a quorum of a committee tasked with making a recommendation back to the entire board was present. Sommer pointed out that emails with the entire Board discussing City business would be subject to Public Meeting Law.

Sommer said that the City was required to store public records for a period set by State law. They suggested that Board members create a separate email address or folder that they only use for City business.

Public Meeting Law required that meetings must be noticed (at least 24 hours in advance), meetings had to be held within the City of Eugene, the meeting site must be accessible to individuals with mobility impairments, and that minutes of the meeting must be taken, or the meeting must be recorded.

When a governing body needs to meet in private, they call an executive session. After the session the body must always go back to an open session to decide. An executive session might be called for a few reasons including, to consider public records exempt from disclosure, to consult with the City Attorney regarding lawsuits that had been filed or were likely to be filed, or to discuss performance evaluations of public employees. Members of new media were allowed to attend executive sessions but could not report on what was talked about.

Leiman stated that the Board often reviewed materials not available to the public. He wanted to know if any notes they took on that material was subject to public record. Sommer replied that any notes should be sent to staff to store, even if it would not be available for public viewing.

Williams asked if the notes members made could be stored by them and not sent into staff unless asked. Pitcher recommended all notes be sent to them. If there was a request for materials, they might not know that Board members had notes.

Cortez inquired into if body-worn camera footage was considered a public record. Sommer responded that it was included in public record. There often would be information redacted from the footage, like faces. They acknowledged that could be a barrier for individuals requesting the footage.

Sommer encouraged Board members to go through the rest of the slides they provided and reach out to them with any questions.

6. Break

The CRB took a break from 6:14 p.m. - 6:24 p.m.

7. Case Review: Investigation into Officer's Verbal and Physical Incident with Handcuffed Prisoner

Eller pulled up a slideshow entitled: "Case Review: Allegations of Lack of Courtesy and Excessive Use of Force".

I. Summary of Facts

- Officer A was dispatched to a trespass call.
- Reporting Person (RP) informed Officer A there was an unidentified person (Citizen B) interfering with the delivery door at RP's work establishment. RP said they contacted Citizen B and asked them to move. RP said Citizen B responded with a profanity and refused to move.

- RP called Eugene PD and reported Citizen B. Officer A arrived and interviewed RP. RP explained Citizen B was combative and refused to leave the place of business. RP told Officer A they did not want to press charges for trespassing. RP just wanted Citizen B to leave the business.
- Prior to contacting Citizen B, Officer A requested assistance. Officer C arrived at the incident location and the two officers contacted Citizen B. Citizen B resisted the officers' efforts and a struggle to handcuff Citizen B ensued. Based on Citizen B's actions, they were arrested for trespassing and resisting arrest.
- After Citizen B was handcuffed, Officer A and Officer C moved them in front of Officer A's marked, Eugene PD car in preparation for transport to the Lane County Detention Center. Officer C and Citizen B engaged in a back-and-forth verbal exchange, and as the discussion progressed, it escalated. Citizen B made repeated claims about police brutality, and Officer C replied with resisting arrest statements.
- During the interaction, Citizen B turned their head towards Citizen C; Officer C placed their hand as a barrier between them, and Officer C's hand contacted Citizen B's head (right cheek/jaw area).
- During an Internal Affairs (IA) interview, Officer C stated that they placed their hand in a defensive position to protect themselves from Citizen B, specifically to protect them from being spat on. Officer C stated that they had been spat on in their capacity as a police officer, they were infected with swine flu from being spat on.

II. Allegations

- **103.5.8.a - Courtesy:** that Officer C failed to be respectful, courteous, and considerate towards Citizen B after arresting Citizen B for trespassing.
- **800.2 - Use of Force:** that Officer C used force in excess of that which was reasonable under the circumstances when they struck Citizen B's face after Citizen B was detained in handcuffs.

III. Adjudication Recommendations

- Officer C – Courtesy
 - Auditor: Sustained
 - EPD Chain of Command: Within Policy
 - Chief Final: Within Policy
- Officer C – Use of Force
 - Auditor: Within Policy
 - EPD Chain of Command: Unfounded
 - Chief Final: Unfounded

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Office of Police Auditor generated complaint
 - Classification: allegations of Courtesy and Use of Force

Williams was curious why de-escalation was not looked into as a classification. Pitcher told them that it was talked about. They decided it felt more appropriate to classify it with Courtesy and Use of Force. They added that the de-escalation policy wording sometimes made it hard to classify.

Leiman agreed with the classification. They remembered one of the reports had commentary on the repeated head strikes from Officer C to Citizen B. They asked if that was considered in part of the Use of Force allegation. Pitcher replied that it was included. Eller added that it was considered a scuffle and a justifiable Use of Force.

Conover was confused by the Use of Force allegation since the individual was already in custody. They had a question about the monitoring. There was a supervisor that showed up on the scene, but they were not interviewed. Eller replied that the supervisor retired. Pitcher added that they reached out to them, but they declined the interview. Since they were no longer employed, they could not be forced to interview.

Cortez thought that the situation went beyond a courtesy policy violation. The interaction started discourtesy and never improved. They did not understand why the Officer was so rude to an individual sleeping against a building. Also, Cortez did not think the individual was resisting arrest, and the Use of Force was not necessary. They had noticed this officer had appeared in a few other cases where they were quick to use force.

Neal questioned if there could have been a classification related to what happened before the individual was put in handcuffs. Pitcher told them that they looked at the whole interaction. They reminded everyone that they had to look at the events through the lenses of what officers were taught. Pitcher said that they were not used to seeing such an interaction between an officer and someone in handcuffs.

Griffin noted that the officer had no reason to kick the individual. They felt that that action set the mood for the rest of the situation. Griffin was discouraged reading the IA Officer's report.

- Relevant Policies and Practices; Training Considerations
 - 103.5.8.a Courtesy and 800.2 Use of Force

Leiman stated that the whole encounter was a failure. They could understand from a safety perspective why the officer might nudge the sleeping individual with their foot. However, it did not make sense how the interaction escalated. Leiman emphasized that this type of interaction and escalation should never occur. They hoped that EPD was tracking that Officer C had been involved in these situations before and that they would do something about it.

Conover noted that Officer A and Officer B had both been with EPD for a while. They questioned what more could be done for them with training when they have been out in the field for so long. They still thought training should be attempted. Conover mentioned that there was no information included on what happened between the person at the store and the individual on the ground. This made it hard to understand the whole situation. Conover stated that they could not look at the case as if it happened in a vacuum. Cortez agreed with Conover's point that training everyone on a topic because one person was having a problem with it did not make sense.

Cortez wondered if it would have made more sense for CAHOOTS to be called. They did not think any human should be so rude to another human. Cortez emphasized the fact that Officer C could have woken that person up and asked them nicely to move.

Neal could not pinpoint an exact policy that needed to be trained on. The situation in general was a failure. They mentioned that it seemed like an attitude or personality problem. If someone was in a bad mood that reflected in their interactions.

Griffin felt like the situation was swept under the rug. They hoped training could be given to stop similar interactions from occurring.

Pitcher agreed that it was an issue that the same officers kept appearing in case reviews. They tracked that information, but currently nothing was being done with it on their end. Pitcher recognized that they needed to do more to help their officers with stress management. A lot of people got stressed, but most people were not in a position to be aggressive with people in such a way as police officers were.

Williams remembered a few times that the CRB reviewed cases about this officer. They stated that Officer C tended to escalate situations. They hoped that by now something would have been done about how they reacted to situations.

- Adjudication Recommendations
 - o Chain of Command: 1 – Within Policy and 2 – Unfounded
 - o Chief Final Adjudication: 1 – Within Policy and 2 – Unfounded
 - o Auditor: 1 – Sustained and 2 – Within Policy

Conover believed that was compassion fatigue happening throughout society. It was hard to work out how to interaction with an individual who might have drug or mental health problems. Conover asked if the Auditor's Office or EPD kept any data on when in an officer's shift allegations were made. They stated that having that information would be very enlightening and could help a solution be found. Pitcher replied that that data was not tracked. They did track what team officers were on.

Cortez wanted everyone to ask themselves what they wanted policing to look like and to what extent violence made peace. They knew that violence had to be used to some degree for certain situations, but they did think the case they were reviewing was a relevant situation.

Neal said that while the situation might not have been extreme, it was a frightening pattern from Officer C. How Officer C started their interaction was wrong. While the individual might not have reacted kindly no matter how Officer C approached them, it was wrong for Officer C to act in such a manner.

Williams said that the sergeant's adjudication memo was offensive at some points. They spelled out how officers needed to use tact to control their temper and not be provoked by the actions of others. However, they stated that Officer C was calm in their interaction when talking with another officer. Williams questioned why it mattered that they were calm with the other officer but not the citizen. They also found it offensive that throughout the investigation there were a few comments about profanity and derogatory statements. Williams emphasized that just because an officer did not use profanity or derogatory language did not mean that they were calm. They wanted that memo to have a better summary of what really happened. Pitcher noted that historically courtesy complaints were about profanity and derogatory language, which have been the result of those comments.

Leiman thought their discussion that night highlighted the limitations of the police review system. They recognized that it was unfair to the police and to the CRB for the CRB members to rely on their memory of having seen previous complaints for the same officers and that discussion should take place around the issue of relevance of prior complaints.

Williams would read the comments that Rick Roseta sent in in their absence. It appeared to Roseta that the officers in the case had different approaches to handling the individual. They did not find either approach violated policy. After watching the video Roseta thought that Officer C believed that their action of holding up their hand to block spit was justified. Roseta stated that the individual's reaction to events was over the top since they were not harmed. Roseta disagreed with the Assistant Auditor's comments about how if the officer had not repeatedly chosen to engage with the individual in an argumentative way that it was reasonable to assume that the interaction would have gone differently. They emphasized that there was no evidence to establish that as a reasonable conclusion.

Conover, Cortez, Neal, Griffin, Williams, and Leiman agreed with the Auditor's Office's adjudication that allegation one was sustained.

Cortez asked if the Use of Force was regarding the head shoving that occurred. Pitcher replied that it was. Cortez inquired into if the original approach of the officer could be discussed as Use of Force. Leiman responded that the case only indicated the head shoving and no other aggressive behavior. Pitcher concurred that the case only looked at the head shoving, but they noted that there was agreement on the Board that there should have been another allegation.

Cortez thought that there was insufficient evidence for the second allegation. Cortez, Neal, Griffin, Williams, and Leiman agreed with the Auditor's Office's adjudication of Within Policy for the second allegation.

8. Auditor Report

Pitcher shared that the Auditor's Office found a new officer space on 101 E. Broadway near Legal Aid. They were planning on moving into the space on October 1, 2022, but that might change. They did not think that they would have the space to host the next CRB meeting. Pitcher hoped that by the November CRB meeting it would be completed. They were about to sign the contract for their new portal on their website.

Pitcher said that they were on City Council's calendar for the end of October for discussion on them becoming Auditor. They were also set in January 2023 to present recommendations to City Council about improvements for their oversight system.

Pitcher stated that for 2022 the Auditor's Office has received 231 complaints. They shared that there had been a slowdown in August, which gave the Auditor's Office time to catch up.

9. Closing Comments

Cortez thanked everyone for showing up every month for their meetings, including all the staff that worked hard.

Neal thought they had a good discussion that night and thanked the Board members for always allowing an open space for different viewpoints. Williams concurred. They liked that the Board did not always agree.

Conover asked the other CRB members to go through the closed cases list attached in their packets. They could send any cases they were interested into them, Williams, Pitcher, Foltz, or Eller and it might be added to the agenda.

10. Adjourn

Williams adjourned the meeting at 7:55 p.m.

(Minutes recorded by Lydia Dysart)

M I N U T E S
Civilian Review Board
Zoom Webinar

October 11, 2022
5:30 p.m.

PRESENT: Cayolyn Williams, Chair; Bernadette Conover, Vice Chair; Jose Cortez, Monique Griffin, Alan Leiman, Clay Neal, Rick Roseta, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Beatrice Otero-Hernandez, Leia Pitcher, Police Auditor's Office; Dr. Ed Madison, University of Oregon; Cindy Coleman, Ryan Nelson, Eugene Police Department.

ABSENT: None.

Chair Williams convened the Civilian Review Board (CRB) at 5:31 p.m. Everyone who was present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from September Meeting)

Leiman had one correction they wanted made to the minutes. One page five, there was a portion where he talked about how a process that relayed on the CRB member's memory that they had seen an officer before for a similar compliant was a flawed system.

MOTION: Conover moved, seconded by Neal, to approve the September 13, 2022, CRB meeting minutes as amended. The motion passed unanimously – 7:0.

3. Comments from Board Members and Commission Liaisons

Conover reminded members to send closed cases they found interesting to the Auditor's Office so they could be brought forward for discussion. They noted it was a great way for everyone to be involved in what they reviewed.

Leiman shared that the Police Commission had not met since the last CRB meeting.

4. Public Comment

There was no public comment.

5. Training Topic: Juvenile Justice Presented by Dr. Ed Madison

Pitcher introduced Dr. Ed Madison, who created the documentary that the CRB watched called Juvenile Justice. Dr. Madison shared that the project came together during their sabbatical from the University of Oregon. A lot of University of Oregon alumni and graduate students were involved. They mentioned that it was near the end of the project that Governor Kate Brown gave clemency to some of the new cases.

Williams appreciated how in the documentary they took time to make sure both sides of the story were told. They asked how much police oversight came up in the process. Dr. Madison replied that police officers were usually fair in the juvenile process.

Conover, who had worked in the juvenile justice system, was frustrated throughout the documentary. They knew that ballot measure 11 took power from the judges and gave it to the DA. They mentioned that

ballot measure 11 was used very carefully in Lane County. The measure made it so that a juvenile in one County would not be put in the State penitentiary for something that a juvenile in another County would not. Conover emphasized that this made them question what some people in the documentary were saying but acknowledged this was not a fault on Dr. Madison's part. Dr. Madison noted that some people they interviewed were very vocal but did not necessarily have the background in prosecuting those cases.

Cortez gave some background for their question by saying that they were interested in narrative and what its role in democratic deliberation was. Cortez wanted to hear more about what Dr. Madison learned in narrative in storying telling in the current context of charged public debate and being in an overwhelming white State. Dr. Madison replied that the root of documentary film making was that it was an organic process. They chose who to talk through the people they interviewed ("you should also talk to..."). This led them with a lot of interviews and a narrative to fit to it. Dr. Madison said that they learned to not take sides and to let the story unfold for itself.

6. Break

The CRB took a break from 6:07 p.m. to 6:13 p.m.

7. Case Reviews: Investigations Arising out of the Inappropriate Seizure of a Driver's Keys

Eller pulled up a slideshow entitled: "CRB Case Summaries October 11, 2022".

I. Summary of Facts

- Officer A contacted an unidentified person near the rear of a vehicle. The unidentified person told Officer A that they wanted to get away from the vehicle because the driver (Involved Citizen) was drunk and wanted to drive. Then the unidentified person walked away and ended the contact with Officer A.
- Officer A contacted the Involved Citizen (in the parked vehicle). Officer A observed Involved Citizen was sitting in the driver's seat, had their feet out the vehicle, and was sleeping in a slumped position. Officer A did not utilize their body-worn video (BWV) system while contacting Involved Citizen and did not notify dispatch of the contact.
- Officer A concluded Involved Citizen was intoxicated and asked them to hand over the keys of the vehicle to Officer A. Involved Citizen complied and handed the keys to Officer A. Then, Officer A threw Involved Citizen's keys over a nearby fence and instructed them not to drink and drive. After the contact, Officer A returned to EPD headquarters.
- Involved Citizen saw and requested assistance from Officer B and Officer C. Involved Citizen informed them of the contact with Officer A and requested assistance locating their keys. [Note – Involved Citizen did not recall Officer A's name].
- Involved Citizen was agitated over the interaction with Officer A and requested assistance from an EPD supervisor. Officer B called Sergeant E. Sergeant D and Officer A (both located at EPD headquarters) were made aware of the phone conversation between Sergeant E and Officer B. Officer A told Sergeant E they were the officer who threw the keys, and they would retrieve them.
- Officer A returned to the incident scene, located and returned Involved Citizen's keys. Sergeant D also responded to Involved Citizen's location. Involved Citizen expressed concerns regarding the contact with Officer A and Sergeant D.
- After the contact with Involved Citizen concluded, Sergeant D spoke with Officer A regarding their (Officer A's) deficiencies handling the incident. Officer A apologized for the incident and acknowledged their shortcomings.
- During an Internal Affairs (IA) interview, Officer A recounted the interactions with Involved Citizen and acknowledged the incident could have been handled differently.

II. Allegations

- Officer A
 - **322 – Search and Seizure:** that Officer A improperly seized Involved Citizen's property. The violation of policy and Involved Citizen's constitutional rights, when they retrieved Involved Citizen's keys and threw them over a fence.
 - **1203.7.1 - Body Worn Video:** that Officer A failed to use their BWV system to record their encounter with Involved Citizen, in violation of policy.
 - **103.5.14 - Unsatisfactory Performance:** that Officer A failed to notify dispatch they that they made contact with Involved Citizen.
 - **103.5.8.a - Conduct:** that Officer A's conduct towards Involved Citizen constituted conduct that brought the department into disrepute and/or significantly impaired the operation or efficiency of the department.

III. Adjudication Recommendations

- Officer A – Search and Seizure
 - Auditor: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Officer A – Body Work Video
 - Auditor: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Officer A – Unsatisfactory Performance
 - Auditor: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Officer A – Conduct
 - Auditor: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Internally generated complaint
 - Classification: Allegations of Search and Seizure, BWV, Unsatisfactory Performance, and Courtesy

Griffin agreed with the classification and found the investigation was sufficient. Williams concurred. They appreciated internal complaints and when one investigation led to another, like this case did. They would see the other case later in the meeting.

Conover liked that mediation was offered and accepted in this case. Pitcher mentioned that it was the first mediation in their new model they had done and was happy with how it went. Roseta was confused on how the mediation was possible when there was no complainant. Pitcher told them that there were mediations and there were also facilitated conversations. Nelson noted that it was different than a normal mediation. For this situation, Pitcher was the complainant.

Leiman thought an intake obligation should have been taken in from the officers who were waiting around for Officer A to come back to look for the keys. Those officers should have noted that the citizen wanted to make a complaint.

Neal stated that the intake, classification, and monitoring was all done well.

Cortez mentioned that in Officer A's interview with Nelson the Union Representative had objected to the internal review because of the Make Note. Nelson responded that a Make Note was a program that allowed EPD to document all good and bad things the individual did for annual review purposes. Employees were notified when information was put into their file. Cortez thought the issue being put into the officer's file was a weird reason to object to the review.

Roseta had an issue with the way that the allegations were made. They thought they should state the conduct that was wrong, state the related policy, and state why their actions violated the policy. This would make it easy to understand what they were judging the conduct of the officer on. Roseta did not agree with the Courtesy allegation that was made.

Leiman asked if the two officers who were waiting were under any reporting obligation to share that the citizen wanted to make a complaint. Pitcher replied that they called their supervisor to come to the scene for the complaint. They were under the impression that the supervisor would handle it and they would not need to do anything else.

Williams found it problematic that if something was put in the Make Note that a situation might be looked over. Nelson replied that something going into the Make Note would not stop an investigation from happening. It was just a way for information to be tracked. For this case, it was also how the case was found.

Conover asked how long an officer was in training with another person before they were patrolling on their own. They thought that Officer A seemed new to being alone. They said that a newer recruit acting this way should be treated differently than a veteran officer doing the same thing. Nelson replied that officers went out on their own after riding with someone for four weeks. They stated that Officer A was newer to being on their own.

- Relevant Policies and Practices; Training Considerations
 - o 322 Search and Seizure, 1203.7.1 BWV, 103.5.14 Unsatisfactory Performance, and 103.5.8.a Courtesy

Williams pointed out that the body-worn camera policy should be looked at. They thought it might be helpful for the CRB to receive a training on EPD new officer training.

Conover noted that they did not see a policy for this on when or why officers call in their location. Officer A did not do that, and Conover had noticed in most their reviews that the body-worn camera footage had officers stating their location. They emphasized the importance of this practice since situations could turn bad quickly. Also, they wanted to know if there would ever be a situation where it was acceptable for the officer to throw the keys and leave. Nelson could think of reasons an officer might leave a scene but could not imagine why keys would ever need to be thrown over a fence.

Leiman agreed with Conover. It was concerning how quickly this new officer went against EPD policies.

Neal stated that Officer A clearly violated policy. They felt that one aspect of the interaction was that the officer was flexing their power. That was a hard aspect to develop policy around. Neal understood it was

not possible to train for every aspect but encouraged trainings on how officers should interact with the public.

Cortez suggested establishing lists of what officers should be able to do in different stages of their career. As an example, by the end of the first-year officers should be able to keep their body-worn camera video on. And so on for progressive years. They explained that a system like that would take some subjectivity out of the case reviews. Pitcher voiced that once an officer had a gun and a badge, they held them to high standards. There was no point once they were trained where they would not be required to follow policy.

- Adjudication Recommendations
 - Chain of Command: 1 – 4: all Sustained
 - Chief Final: 1-4: all Sustained
 - Auditor: 1-4: all Sustained

Leiman knew that there had been thousands of stops between EPD and drunk drivers in the last decade. It was easy to see that this officer had reacted poorly. Griffin agreed.

Leiman, Williams, Cortez, Neal, Conover, and Griffin agreed with the sustained adjudication recommendations for all four allegations. Roseta disagreed with the fourth adjudication recommendation for reasons stated previously.

I. Summary of Facts

- Officer D contacted Involved Citizen, they (Involved Citizen) were sitting in the driver's seat of a park vehicle, had their feet out the vehicle, and were sleeping in a slumped position. Officer D concluded Involved Citizen was intoxicated and asked them to hand over the keys of the vehicle to them. Involved Citizen complied and handed the keys to Officer D. Then Officer D threw Involved Citizen's keys over a nearby fence and instructed them not to drink and drive. After the contact, Officer D returned to EPD headquarters.
- A short time after Officer D's contact with Involved Citizen ended, they (Involved Citizen) saw and requested assistance from Officer B and Officer C. Involved Citizen informed them of their contact with Officer D and requested assistance locating the vehicle keys. As Involved Citizen's conversation with Officer B and Officer C progressed, Involved Citizen became very agitated. Involved Citizen said they wished to file a complaint and requested assistance from a supervisor.
- Officer B called Sergeant E. Sergeant A and Officer D (both located at EPD headquarters) were made aware of the phone conversations between Sergeant E and Officer B. Officer D told Sergeant E they were the officer who took the keys and would retrieve them. Officer D returned to the incident scene, then located and returned Involved Citizen's keys.
- Sergeant A also responded to Involved Citizen's location. When Sergeant A arrived at the location, Involved Citizen told Sergeant A, "I need to talk to you, you literally had Officer D..." Then Involved Citizen turned and faced Officer B and berated/insulted them. [Note: Involved Citizen wished to speak to Sergeant A without Officer B nearby].
- Sergeant A interrupted Involved Citizen and told them, "You are going to stop talking that way, you're going to stop acting that way, or we just going to leave." Involved Citizen refused and said, "then leave." Sergeant A responded to Officer B and Officer C, "let's leave".
- As Sergeant A began to enter their vehicle, Involved Citizen approached them. Sergeant A instructed Involved Citizen to back away from the vehicle, however, Involved Citizen said they weren't going to back away. Sergeant A opened the vehicle door and used it to contact/push back Involved Citizen. Then Sergeant A and Officer B and C left the location.

- During an IA interview, Sergeant A stated that they discussed the incident with the Acting Watch Commander after the event and notified their supervisor the following day. Sergeant A stated, at the time of the incident, they were unfamiliar with the requirements to notify the Police Auditor within 24 hours of the incident. Sergeant A denied that they had been informed that Involved Citizen wished to make a formal complaint against EPD personnel. Sergeant A stated Sergeant E only told them Involved Citizen wanted to speak to a supervisor and made no mention of a complaint.

II. Allegations

- **103.5.23.b - Expectations of Supervisors:** that Sergeant A failed to report known or potential misconduct of an employee or document appropriately in a timely manner.
- **103.5.14.c - Unsatisfactory Performance:** that Sergeant A failed to perform the required tasks associated with their official duties when they did not report a citizen complaint within 24 hours as required by Eugen City Code 2.456(2)(b).
- **103.4.2 - Professionalism:** that Sergeant A did not provide courteous service or ensure their conduct was respectful in their interaction with Involved Citizen.

III. Adjudication Recommendations

- Sergeant A – Expectation of Supervisors
 - Auditor: Within Policy
 - EPD Chain of Command: Within Policy
 - Chief Final: Within Policy
- Sergeant A – Unsatisfactory Performance
 - Auditor: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained
- Sergeant A – Professionalism
 - Auditor: Sustained
 - EPD Chain of Command: Sustained
 - Chief Final: Sustained

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - Internally generated complaint
 - Classification: Expectations of Supervisors, Unsatisfactory Performance, and Professionalism

Leiman noted that there was a lapse in judgement that resulted in a Make Note being made instead of the complaint. They thought there should be a policy stating that Make Note would not be used in place of discipline.

Neal was confused on how the case was found and put into a review. Pitcher mentioned the Coleman flagged the video and Pitcher looked at it. After looking at it, Pitcher opened the investigation. Neal was concerned that the Sergeant did not know the process for lodging a complaint.

Cortez understood why the first allegation was found to be within policy across the board. They asked if the policy stated that the complaint had to be submitted in an appropriate and timely manner or an appropriate, timely manner. Pitcher replied that it was a failure to report the misconduct or document it in a timely manner. Since the employee reported the misconduct to their supervisor it was within policy.

Griffin asked if any of the allegations were made against the action of the officer hitting the citizen with the door. Pitcher responded that they considered a Use of Force policy allegation. They knew that the door incident would not have fit into that policy. Pitcher wanted it noted that they did talk about it.

Williams found the classification, classification, and monitoring were done well.

Conover thought that the Professionalism allegation fit well with the case. They wished there had been more questions about how long it took the officer to respond and why it took so long for the sergeant to get to the scene. Conover thought in both situations the officers involved should have taken the keys into evidence instead of throwing them. Pitcher told them that since there was no official case report, they would not have been able to file the keys. Conover knew that officers were able to take in property that was found on the side of the road without a case number and did not see a difference. They at least could have found another way to take the keys.

- Relevant Policies and Practices; Training Considerations
 - o 103.5.23.b Expectations of Supervisors, 103.5.14.c Unsatisfactory Performance, and 103.4.2 Professionalism

Neal agreed with the allegations put forward.

Cortez wanted more context on how Nelson felt about the situation. When Nelson saw these situations, they always wanted to help those individuals become better officers. They had heard from other supervisors in the past that they struggle with if they should help the officer or bring the incident to the Auditor's Office. For Nelson, it was obvious, but some supervisors were unsure and that was one reason these actions ended up in Make Note with no case.

Cortez asked what time the supervisor made the decision of whether to go to the Auditor's Office or to just enter it in Make Note. Nelson replied that it was a graveyard shift, and they knew the person was almost off shift. Cortez inquired into how long the shifts were. Nelson responded that they were ten hours. Cortez wanted to acknowledge the working conditions and how they would affect these decisions.

Griffin thought that there should be more training on how officers should act in public. They noted that in the interview the Sergeant As aid that they did not know how to act, not that they forgot.

Williams stated that while Sergeant A did not escalate the situation, leaving was not the appropriate response. Williams thought it was lazy on the officers, in both cases, to give the keys back and not than immediately leave.

Williams mentioned that the civilian admitted that they had been driving drunk. Williams wondered why they did not arrest them and take their keys the correct way. Nelson replied that they could have.

Leiman believed that Sergeants should be held to a different standard than patrol officers. They should have known about the process of reporting to the Auditor's Office and have better de-escalation tactics. Leiman also felt uncomfortable with how long the officers let the Sergeant scream for.

- Adjudication Recommendations
 - o Chain of Command: 1 – Within Policy; 2 and 3 – Sustained
 - o Auditor: 1 – Within Policy; 2 and 3 – Sustained
 - o Chief Final: 1 – Within Policy; 2 and 3 – Sustained

Roseta was concerned with what a Sergeant was supposed to do other than tell the Lieutenant and Watch Commander what happened. They questioned what would lead them to go to the Auditor's Office when a complaint was not really made in full.

Conover thought it was unclear what was required on when to go to the Auditor's Office. However, they were worried that the Sergeant did not seem concerned with how the situation unfolded. Conover had no issue with the Professionalism allegation being sustained.

Leiman emphasized the importance of all EPD officers in understanding the complaint system and when to notify the Auditor.

Neal wondered if they should have looked at the policy on reporting. They stated that more training should be done on reporting.

Cortez, Griffin, Williams, Leiman, and Neal agreed with all the adjudication recommendations.

Roseta agreed with the Expectations of Supervisors adjudication recommendation but thought the other two adjudications should be within policy.

Conover agreed with the Expectations of Supervisors and Professionalism adjudication recommendations but thought that there was insufficient evidence for the Unsatisfactory Performance adjudication.

8. Auditor Report

Pitcher said that since she had not sent out an Auditor's report to the CRB, the October report would be included with their November report.

Pitcher said that they had the same number of complaints and Use of Force complaints as they did at this time last year.

Pitcher mentioned that they were setting up their community portal. It should be up and ready to be used by the end of the year.

9. Closing Comments

Leiman thanked all the Auditor's Office staff and the other CRB members for their work.

Cortez hoped that they could meet in person soon. Pitcher thought they would be in person in January.

Conover encouraged new members to do a ride along with EPD.

10. Adjourn

Williams adjourned the meeting at 8:07 p.m.

(Minutes recorded by Lydia Dysart)

MINUTES
Civilian Review Board
Zoom Webinar

November 8, 2022
5:30 p.m.

PRESENT: Carolyn Williams, Chair; Jose Cortez, Vice Chair; Monique Griffin, Alan Leiman, Rick Roseta, Civilian Review Board members; Lindsey Foltz, Rob Eller, Vicki Cox, Beatrice Otero-Hernandez, Leia Pitcher, Police Auditor's Office; Cindy Coleman, Ryan Nelson, Michael Ware, Eugene Police Department.

ABSENT: Bernadette Conover, Clay Neal.

Chair Williams convened the Civilian Review Board (CRB) at 5:30 p.m. Everyone who was present introduced themselves. There was a quorum present.

1. Agenda and Materials Review

There were no changes made to the agenda.

2. Minutes Approval (Minutes from October meeting)

MOTION: Williams moved, seconded by Leiman, to approve the October 11, 2022, CRB meeting minutes as presented. The motion passed unanimously – 4:0.

3. Comments from Board Members and Commission Liaisons

Leiman shared that the Police Commission met and received the annual report from the Auditor's Office. They thought about the different perceptions of the Commission and the CRB from both sides. Leiman stated that it would be helpful in the future to have a joint meeting with the Police Commission.

Cortez joined the meeting at 5:33 p.m.

4. Public Comment

There was no public comment.

5. Training Topic: Pepperball and Extended Range Impact Systems

Pitcher introduced Sergeant Michael Ware, who would give the CRB a presentation on long range impact weapons and the policies associated with them.

Ware explained that pepperball was a non-lethal chemical agent delivery system that used high-pressure air to deliver projectiles from a distance. It can also be used for kinetic impact. They emphasized that pepperball launchers were not firearms. The projectiles were plastic breakable spheres that each weighed 3 grams. Ware related the pepperball impact to the impact from a paintball launcher.

Ware said that pepperball launchers were primarily used as an indirect area denial tool with the capability of deploying it directly at a threat. They could also deliver a chemical agent when suspect(s) were hidden or to disperse crowds. Policy 804 covered the use of Pepperball Projectiles, but policies 800 – Use of Force, 801 – Use of Force Reporting, and 803 – Oleoresin Capsicum Aerosol should also be considered.

Before an officer can carry a pepperball launcher they had to attend a full day of classroom education, actively participate in classroom discussions, pass a written test with a 90% or higher, complete a course

of fire, complete practical application exercises. Officer had to recertify themselves bi-annually to review any updated case law.

The other weapon was the extended range impact system (40MM). This was a less than lethal launcher designed to deliver a spin stabilized foam rubber round. The round was fired from a launcher with a rifle barrel and was designed for direct impact on a single suspect.

Ware said that the 40MM launcher was a tool used on single subjects. It helped in the arrest of violent subjects armed with close-range weapons and in defense of the holder or others. There were areas of the body that officers were taught not to shoot at. It was best to aim at someone's legs. Policy 808 covers the use of Impact Weapons, but policies 800 – Use of Force, 801 – Use of Force Reporting, and CD21-001 for use in crowd control events. Ware stated that the 40MM was not supposed to be used to disburse crowds.

The training to use a 40MM was the same as the pepperball launcher.

Leiman asked for clarification on a CS round versus a pepperball round. Ware responded that the CS round was used with a 40MM launcher. Leiman asked which system was used in the case they would discuss that night. Nelson replied that it was a pepperball launcher, but there was some confusion on what type of round was used. Eller noted that the officer did indicate in an interview that it was a CS round.

Griffin inquired into if there were different target areas for the pepperball launchers. Ware replied that the pepperball launcher was a non-lethal weapon and there was less fear of injury on impact.

6. Break

The CRB took a break from 6:09 p.m. to 6:15 p.m.

7. Case Review: Allegations of Excessive Use of Force

Eller pulled up a slideshow entitled: “CRB Case Summary November 8, 2022”.

I. Summary of Facts

- Members of the Eugene Police Department (EPD) received information that a wanted person (Suspect) was located at a business in Eugene, Oregon. The Suspect had an outstanding arrest warrant which included charges for attempted murder, kidnapping, burglary, strangulation, recklessly endangering, tampering with a witness, and assault.
- Officers formulated a plan to arrest the Suspect. During the operation, an associate of the Suspect identified the presence of law enforcement and alerted them. Officers converged on the Suspect’s location, and they entered the Willamette River to escape.
- The pursuit to arrest the Suspect intensified; Lane County Sheriff’s Office (SO) deputies and Oregon State Police (OSP) troopers assisted EPD officers in the operation. During the Suspect’s refusal to surrender to officers’ commands and flight to avoid arrest, EPD officer deployed a flash bang and two 40mm less lethal projectiles, and a Lane County SO deputy deployed a taster, all with unsuccessful results.
- The Suspect utilized the Willamette River and avoided arrest for approximately two hours before OSP troopers, Lane County SO deputies, and EPD officers closed in on their location near the shore of an island in the Willamette River. The Suspect was arrested after law enforcement converged on their location, and moments before their capture Sergeant A deployed pepperball rounds to facilitate the arrest.
- In an IA interview, OSP Trooper C stated the Suspect was in the process of walking out of the water (in compliance with their request to surrender) when EPD Sergeant A deployed

- pepperball rounds on the Suspect. Trooper C stated in response to the pepperball deployment, the Suspect turned away from the shore and went back into the river. Trooper C questioned the need for Sergeant A's pepperball deployment.
- In an IA interview, Sergeant A stated the Suspect was a dangerous person; they (Sergeant A) were very concerned for the safety of the Suspect's spouse and felt an urgency to capture them. Sergeant A stated in the time shortly before the pepperball deployment, they and a K9 officer separated from other officers on the island and pursued a K9 scent. Sergeant A stated they ran to the location of the other officers, observed the Suspect to be noncompliant, and quickly determined the deployment of pepperball rounds was the appropriate force to ensure the Suspect's arrest (Sergeant A was the only officer with a pepperball launcher).
 - After the IA interview, Sergeant A was shown the body worn video (BWC) footage captured by another officer at the scene. After viewing the video, Sergeant A said they would not have deployed the pepperball rounds if they saw the full exchange from the Suspect (from the point of view of Trooper C).

II. Allegations

- **800.2.2 – Use of Force:** That Sergeant A used force in excess of what was reasonably necessary under the circumstances when they deployed pepperball rounds at the Suspect in the Willamette River near Delta Sand and Gravel

III. Adjudication Recommendations

- Sergeant A – Use of Force
 - o Auditor's Office: Within Policy
 - o EPD Chain of Command: Within Policy
 - o Chief Final: Within Policy

IV. Issues for CRB Discussion

- Complaint Intake, Classification, and Monitoring
 - o Internally generated complaint
 - o Classification: Use of Force

Roseta thought that the classification was appropriate and worth looking into. Griffin concurred. They could not think of any other classifications that would have applied.

Cortez asked for the Auditor's Office to give background on why this case was selected for review. Pitcher told them that they went through cases with Williams. Williams believed that there was not much else of interest, although there were a few interesting cases coming down the line. Also, they wanted to look at it since there had been recent changes to the pepperball policy. Foltz added that there had been some turn around in members since the Community Impact case and they wanted to provide some background in pepperball.

Leiman agreed with Cortez's comments. They asked if Sergeant A was involved in the Community Impact Case. If so, they questioned the statement being made by looking at this case. Pitcher mentioned that it was common for them to see officers throughout reviews. They picked the case for the isolated incident. Williams mentioned that their interest was in the pepperball policy.

- Relevant Policies and Practices; Training Considerations
 - o Eugene PD policy 800.2.2; Determining the Reasonable of Force

Griffin noted that Sergeant A aimed and fired the pepperball launcher at the Suspect's neck and face. That was concerning since officers were taught not to shoot at those areas.

Williams asked what trainings were given to officers since the policy changes. Nelson was not involved in the training and could not answer that. As far as policy changes, those were sent out to everyone, and it was mandatory to go through the policy. Changes were highlighted.

Leiman noted that the shots fired were dangerous to the other officers at the scene because of the angle of the shots. In interviews, other officers were against the use of the pepperball launcher.

Roseta wanted to know what the communication were for the officers in this situation. Nelson stated that there were channels of communication already set up for all organizations. The difficulties were in making sure there was no confusion. If they changed channels there could be problems if not all officers heard.

- Adjudication Recommendations
 - o Auditor's Office: 1 – Within Policy
 - o Chain of Command: 1 – Within Policy
 - o Chief Final Adjudication: 1 – Within Policy

Leiman thought that members of the community would be upset that CRB was reviewing a case where there was use of force, but it was found to be within policy because the suspect was deemed violent.

Cortez was unsure how to feel about reviewing a case where they could justify actions because of the Suspect history but could not do the same when judging Sergeant A's actions.

Roseta stated that having body worn camera video and drone footage was helpful. They did not remember a point in the footage where the Suspect was surrendering to the officers. Roseta stated that the Board had to think about what the officers knew at the time of the incident. They could not judge officers for what they did not know.

Griffin did not agree with the adjudications. The reasons given for using pepperball (Suspect potential to flee, Suspect danger to citizens or officers, and seriousness for offense) were not justifiable. Griffin said that his offense of domestic violence was serious, but officers were not responding to a domestic scene.

Cortez mentioned that all the other officers at the scene acted differently. There seemed to be screams of "No" from other officers, which they assumed was in reaction to shots being fired. They did not agree with the adjudications.

Williams and Roseta agreed with the adjudications.

Griffin and Cortez disagreed with the adjudications.

Leiman abstained from the vote.

8. Election of Chair and Vice Chair

Pitcher shared that Williams was still allowed to hold the position of chair. Foltz said that Chair and Vice Chair was limited to three terms.

Roseta, seconded by Leiman, nominated Carolyn Williams for the position of Chair.

MOTION: Cortez moved to close nominations. The CRB voted unanimously to appoint Carolyn Williams as Chair of the CRB.

Roseta, seconded by Cortez, nominated Jose Cortez for the position of Vice Chair.

MOTION: Leiman moved to close nominators. The CRB voted unanimously to appoint Jose Cortez as Vice Chair of the CRB.

9. Auditor Report

Pitcher was working on appointing Eller and Foltz to full time positions. Council had voted to directly appoint Pitcher to the role of Auditor. The contract was still being worked out.

The new Auditor's Office building was located at 101 E Broadway Suite 230. Pitcher hoped that they would be able to meet in person for their January meeting.

10. Closing Comments

Roseta wanted City Council to know that there were areas around the Country that were looking at their review system as a model. Pitcher let City Council know who they had spoken to every time they were in front of them.

Leiman wanted them to hold a non-case review meeting where they could talk about other aspects of the work, potentially a retreat with an evaluation. They understood if this was outside the scope of the work given to them by City Council

11. Adjourn

Williams adjourned the meeting at 7:19 p.m.

(Minutes recorded by Lydia Dysart)