

Auditor Recommendations: Civilian Oversight



Eugene Independent Police Auditor

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City Council Work Session: February 22, 2023
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Background



Eugene Independent Police Auditor

May 2022 Work Session: History and Current Oversight System

- Request for Auditor Recommendations

Key Components of Successful Oversight:

- Independence
- Access
- Funding

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Areas for Growth



Expanding Auditing function to hiring/promotion/training

Improving administrative investigative response to EPD use of deadly force

Evolving Auditor role on Use of Force Boards

Procedural Improvements – Protocol Updates

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Expansion of Auditing Function



Currently

Vision for Growth

Impact

Authority

Paths to Implementation

Challenges

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Improving Administrative Investigative Response to EPD Use of Deadly Force



Currently

Vision for Growth

Impact

Authority

Paths to Implementation

Challenges

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Evolving Auditor's Role on Use of Force Boards



Currently

Vision for Growth

Impact

Authority

Paths to Implementation

Challenges

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Procedural Improvements: Updating Oversight Protocols



Currently

Areas for Growth

- Mediation Program
- Disagreement on Adjudications
- Classification Categories
- Good Cause/timeliness
- Public Comment at CRB
- Investigation Timelines

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Mediation Program



Currently

- Lack of timeliness, efficiency
- Not commonly used

Areas for Growth

- Update acceptable service providers
- Potentially expand use, efficiency

Impact

- Constructive outcomes, changed behavior, understanding

Authority

- Code provides for mediation
- Mediation protocols

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Disagreement in Adjudication



Currently

- Chief volunteered to attend CRB meetings

Areas for Growth

- Clear integration/codification would ensure present practice continues, regardless of who is in the roles

Impact

- Common area of concern; clarity would assist community confidence/understanding

Authority

- Would not contradict current Code
- Update to oversight protocols

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Classification Category Expansion



Currently

- Protocols include 5 general categories
- Do not include incident reviews

Areas for Growth

- Update protocols to current practice
- Potential to differentiate further

Impact

- Clearer expectations around timelines, potential outcomes
- Improved understanding, service, changed behavior

Authority

- Would not contradict current Code
- Update to oversight protocols

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Good Cause: Timeliness Limits



Currently

- 6 months for serious misconduct; 60 days for minor misconduct
- “Good cause” exception

Areas for Growth

- Good cause has historically been interpreted narrowly

Impact

- Common area of concern
- Flexibility allows for more potential fact-finding and answers for community

Authority

- Would not contradict current Code
- Update to oversight protocols would likely be sufficient

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Public Comment at CRB



Currently

- Protocols prohibit public comment on the case being reviewed by CRB

Areas for Growth

- Timing of comment

Impact

- Common area of concern
- Allows for more engagement with oversight process

Authority

- Protocol update

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Investigation Timelines



Currently

- Protocols/EPD Policy include timelines for classification, investigation, adjudication

Areas for Growth

- Preliminary investigations have become more robust
- In practice, many of these take more time

Impact

- Foster confidence in community and officers to know accurate timelines

Authority

- Update to protocols and EPD Policy

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Additional Considerations: Discipline



Currently

- Employee Resource Center (ERC) assists with disciplinary recommendations
- Chief determines discipline

Potential Models

- Disciplinary Board
- Auditor recommendation (similar to adjudication)

Challenges

- Charter implications
- Labor concerns
- Arbitration

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Update on Recommendations from the Ad Hoc Committee



EPD Policies amended

- EPD Policy 805 (Chemical Incapacitants)
- EPD Policy 801 (Force Response Reporting)
- EPD Policy 820 (De-escalation)
- EPD Policy 1020 (Personnel Complaints)

Body-Worn Cameras

- Cameras on special teams
- Muting

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Additional Recommendations from the Ad Hoc Committee



Community Oversight

- Extend timeliness
- CRB membership
- CRB stipend
- CRB additional evidence

Independent Investigation

- CRB investigators
- Adjudication Authority to CRB

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Improvements Already Underway



Accessibility and Responsiveness

- Public Portal
- New Office

Capacity for Reporting

- Annual and Monthly Reports
- Website improvements

DEI Audit

- Seeking independent, third-party audit of complaint process through DEI lens to ensure inclusivity

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