

Auditor Recommendations: Oversight Protocols



Eugene Independent Police Auditor

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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

February 2023 Work Session: Introduction to Auditor Recommendations

- Update Oversight Protocols
- Improve Deadly Force Investigative Process
- Potential Expansions of Auditing Role

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Updating Oversight Protocols



Protocol Updates

- Correct and Update Language
- Alter Limitations on Public Comment at CRB
- Accuracy of Timelines
- Process for Disagreements in Adjudications
- Streamline Access

Additional Improvements

- Mediation Program
- Good Cause/Timeliness

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Correct and Update Language



Challenge

- Protocol language is out-of-date
- Protocols have not changed since 2007 despite changes in City Code, EPD Policy, and practices

Fix

- Bring protocol language up-to-date

Path to Implementation

- Auditor, EPEA and City Executive negotiate language updates

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Public Comment at CRB



Challenge

- Limit on public comment results in frustration and erosion of trust in the system

Fix

- Timing of comment

Path to Implementation

- Auditor, EPEA, and City Executive negotiate updates

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Accuracy of Timelines



Challenge

- Timelines do not reflect improvements and changes to the system over time
- Neither in-car video nor body-worn video were a part of investigative process in 2007
- Frequent use of extensions undermines trust in the system and increases anxiety of complaint process

Fix

- Negotiate accurate/flexible timelines that reflect evolution of the system

Implementation

- Auditor, EPEA, and City Executive negotiate updates

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Disagreement in Adjudication



Challenge

- Disagreements happen, but there is no clear process for open discussion around disagreement
- Community sees that Chief has final adjudication and may not understand the level of thought and discussion around those decisions

Fix

- Chief has volunteered to come to CRB when they are reviewing a case with disagreement between the Chief and Auditor
- Protocols should reflect either the agreed-upon practice OR that the involved parties will commit to a practice

Implementation

- Auditor, EPEA, and City Executive negotiate updates to the Protocols

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Streamline Access to Videos



Challenge

- Auditor requests for video/reports to assist in preliminary investigations have increased; EPD is required to provide access
- Workload for EPD staff has correspondingly increased

Fix

- Involved parties can agree on streamlined process that allows Auditor's staff direct access that is tracked to ensure accountability

Implementation

- Auditor, EPEA, and City Executive negotiate mutually acceptable updates to the Protocols

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Mediation Program



Challenge

- Lack of timeliness, efficiency has resulted in decreased use of the program

Fix

- Reestablish mediation program with a variety of acceptable mediators
- Commitment to increased use and improvement of the program

Implementation

- Auditor and EPEA collaborate to reestablish mediation program, starting with list of acceptable mediators

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Clarify/Modify “Good Cause”



PLKO

Challenge

- “Good Cause” has historically been interpreted very strictly
- This has resulted in some complaints being dismissed for timeliness where it seems unjust
- Result is erosion of community trust in the fairness of the oversight system

Fix

- Clarify “Good Cause” definition and make it available to the public so there is transparency and accountability around its use

Implementation

- Auditor will work to craft an updated, clear interpretation and make it available to the community

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PLK0 Does not require protocol change - this can be unilaterally an auditor thing

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