



City of Eugene CIVILIAN REVIEW BOARD

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 involving allegations of police misconduct, use of force and other matters. 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.

Meeting Agenda: Civilian Review Board
Wednesday, February 15, 2017 - 5:30 p.m.
Whiteaker Community Center
Head Start of Lane County, 21 North Grand Street
Contact: Vicki Cox, 682-5016
(A Light dinner will be available for board members beginning at 5:00 pm.)

<u>ITEM</u>	<u>TIME (Starting)</u>
1. Agenda and Materials Review	5 minutes (5:30 pm)
2. Public Comment	5 minutes (5:35 pm)
3. Minutes Approval (Minutes from December meeting)	5 minutes (5:40 pm)
4. Comments from Board Members, Human Rights Commission Liaison and Police Commission Liaison	10 minutes (5:45 pm)
5. Case Review: Review of Allegation of Misconduct Related to Off-Duty Conduct Resulting in Law Enforcement Contact	30 minutes (5:55 pm)
6. Break	10 minutes (6:25 pm)
7. Case Review: Review of Allegation of Misconduct Related to Off-Duty Conduct at a Training Conference	30 minutes (6:35 pm)
8. Case Review: Review of Allegation of Misconduct Related to Reporting of Off-Duty Conduct at a Training Conference	30 minutes (7:05 pm)
9. Auditor Report	15 minutes (7:35 pm)
10. Adjourn	(7:50 pm)

NAME OF MEETING: Civilian Review Board
DATE OF MEETING: December 13, 2016
TO: Vicki Cox
RECORDED BY: Emily Mathis

ROUTING INFORMATION

12/27/16 EM

Draft to Staff

MINUTES

Civilian Review Board
Bascom Room—Eugene Public Library—100 West Tenth Avenue
Eugene, Oregon

December 13, 2016
5:30 p.m.

PRESENT: Eric Van Houten, Chair; Maurice Denner, Rick Roseta, Heather Marek, Chris Wig, Civilian Review Board members; Mark Gissiner, Leia Pitcher, Vicki Cox, Beatrice Hernandez, Police Auditor's Office; Bonnie Souza, Human Rights Commission; Sergeant Crompton, EPD

Mr. Van Houten convened the Civilian Review Board (CRB) at 5:30 p.m.

1. AGENDA AND MATERIALS REVIEW

No changes to the agenda were made.

2. PUBLIC COMMENT

No one present wished to provide public comment.

3. MINUTES APPROVAL— October 11, 2016

Mr. Denner noted an error on the top of page 6:

- “He thought this agreement needed to be flushed out because there would be cases where the facts were not discovered until later.
- “flushed” should be changed to “fleshed”

Mr. Van Houten noted an error throughout the document:

- “Von Houten” should be spelled “Van Houten”

Mr. Van Houten noted an error on the top of page 3:

- “Quinton turned to talk with the other police offer and was subsequently handcuffed.”
- “offer” should be changed to “officer”

Mr. Gissiner noted an error in the url listed on page 3:

- the correct url should be “tinyurl.com/crbaudio”

Ms. Pitcher noted that Mr. Crompton's name was misspelled on page 7:

- “Mr. Compton” should be changed to “Mr. Crompton”

Mr. Roseta, seconded by Mr. Denner, moved to approve the October 11, 2016 CRB minutes with the changes presented. The motion carried unanimously, 5:0 - Mr. Wig abstained from voting due to absence at the October 11, 2016 CRB meeting.

3. MINUTES APPROVAL— November 9, 2016

Mr. Denner noted an error on page 2 - Mr. Denner's comments under item number 4 should be changed to the following:

- “At the Human Rights Commission Meeting the ACLU explained a proposal to require citizen review before new technology was acquired by law enforcement agencies. This is being proposed nationwide. It should be interesting to follow as it moves forward.”

Mr. Wig, seconded by Mr. Denner, moved to approve the November 9, 2016 CRB minutes with the changes presented. The motion carried unanimously, 5:0 - Ms. Marek abstained from voting due to absence at the November 9, 2016 CRB meeting.

4. COMMENTS FROM BOARD MEMBERS, HUMAN RIGHTS COMMISSION LIAISON AND POLICE COMMISSION LIAISON

Ms. Pitcher announced that the Police Commission meeting had been cancelled due to inclement weather.

Mr. Wig commented that there was concern about the Governor's proposed budget. Budget shortfall could affect the community justice reinvestment programs to keep people out of prison. Mr. Wig implored all to email the governor's office, and state representative Nancy Nathanson to tell them how important the criminal justice reinvestment funds were to preventing recidivism.

Mr. Van Houten noted some in attendance were recording tonight's CRB meeting. He added that while he appreciated the interest in the events that transpired in the CRB, it was important to note that these recordings were not official transcripts of the meeting. The recordings had not been authenticated for accuracy or completeness, nor had they been approved by the CRB. The recording of meetings was a matter previously brought before the CRB and the board, as a body, did not approve the recordings of meetings. These recordings were the personal property of the individual who created them and were not sanctioned by the City of Eugene, the Auditor's office or the CRB.

Mr. Van Houten reported that Ms. Foltz resigned from her position on the CRB. He articulated that her position would not be filled until June 2017.

Ms. Marek shared that she was recording tonight's CRB meeting. The audio could be accessed online at tinyurl.com/crbaudio.

Ms. Marek reported that many came to speak in support of Eugene becoming a sanctuary city at the November Human Rights Commission meeting. At the meeting, it was noted that Oregon already had a law that prohibited law enforcement agencies from using state funds for apprehending persons in violation of immigration laws if the person in question was not being arrested for another criminal infraction. The HRC then met again to discuss the parameters of Eugene as a sanctuary city.

Bonnie Souza added that at the November HRC meeting there was standing room only due to the amount of people present to urge the HRC to move forward with a sanctuary city ordinance. The HRC then met in December to discuss the possibility of this ordinance. A committee then drafted a proposed ordinance and resolution. After the draft, another public meeting was held; 175 members of the public were present and many provided public comment. The motion to proceed with the

Sanctuary City ordinance carried unanimously and would be sent to the Eugene City Council for action. The City Manager put out a directive to city employees and the Mayor was putting together a work group. Ms. Souza added that there were two state laws: 1) prohibition of local and state law enforcement from cooperating with immigration officials unless there was a crime involved, and 2) prohibition of law enforcement collecting data on people based on their religion, political views, race, etc. The proposed ordinance suggests these laws be strengthened and extended to city employees in addition to law enforcement.

Mr. Roseta noted that there were over 30 commendations in the packet received for this evening's CRB meeting.

5. Election of Vice-Chair

Ms. Marek seconded by Mr. Denner, nominated Mr. Wig for CRB Vice-Chair.

Mr. Wig accepted the nomination.

The motion passed unanimously, 5:0.

6. CASE REVIEW: Complaint Related to investigation of a menacing incident

Ms. Pitcher offered a PowerPoint presentation entitled *Case Summaries—Civilian Review Board—October 11, 2016* and facilitated a discussion on the case before the CRB.

Summary of Facts

- During a performance review of Supervisor A, it was discovered that while out of town at a training conference, he became intoxicated in the presence of subordinate employees and members of other law enforcement agencies and interacted with a female employee of another agency in a manner that made her and the others present uncomfortable.
- The investigation indicated that at the end of the day of training, Supervisor A went out for drinks with Supervisor B and Officer D (also EPD employees), as well as two employees from outside agencies.
- All witnesses agreed that Supervisor A became very intoxicated during the evening. Supervisor B and Officer D noticed “flirty” behavior from Supervisor A directed at a female employee of an outside agency, which Supervisor B recalled as including touching of her leg and neck/shoulder/hair.
- Supervisor B and Officer D tried to intervene, which resulted in Officer D sitting between Supervisor A and the woman in the vehicle. Supervisor A reached around Officer D and continued to touch the woman's hair.
- At some point in the evening, Supervisor A became sick from the amount of alcohol he had consumed and threw up in the vehicle. His conduct toward the female employee then stopped and the group returned to the conference hotel.
- The investigation indicated that Supervisor A apologized to members of the group the next day.
- Supervisor A did not recall the evening clearly during his administrative interview, but he admitted to becoming excessively intoxicated and engaging in conduct that was unbecoming.
- The investigation (prior to the interview with Supervisor A) was reviewed by the District Attorney in the county where the conduct occurred. The DA declined to prosecute, citing insufficient evidence of sexual and/or general harassment.

- A related IA was initiated examining whether Supervisor B violated policy when he failed to report Supervisor A's conduct.

Allegations

1. Judgment: That Supervisor A's decisions and actions were not in line with what a reasonable employee in similar circumstances would use or take, given the information he knew or should have known at the time.
2. Unbecoming Conduct: That Supervisor A's actions reflected negatively on the Eugene Police Department and brought discredit upon himself and the Eugene Police Department.
3. Use of Intoxicants and Medications: That Supervisor A, while off-duty, used intoxicants in a manner that was unprofessional and brought discredit upon himself and the Eugene Police Department.

Recommended Adjudication

1. Judgment
 - EPD chain of command: Sustained
 - Auditor's Office: Sustained
 - Chief: Sustained
2. Unbecoming Conduct
 - EPD chain of command: Sustained
 - Auditor's Office: Sustained
 - Chief: Sustained
3. Use of Intoxicants and Medications
 - EPD chain of command: Sustained
 - Auditor's Office: Sustained
 - Chief: Sustained

Issues for CRB Discussion

- Complaint Intake and Classification
- Incident was discovered during performance review of Supervisor A
- Related IA investigation concerning lack of reporting
- Classification: Allegation of Misconduct
- Complaint Investigation and Monitoring
- Relevant Department Policies and Practices
 - 1101.1.B.17 Judgment
 - 1101.1.B.25 Unbecoming Conduct
 - 1101.1.B.27 Use of Intoxicants and Medications
- Policy and/or Training Considerations
- Adjudication Recommendations
- Additional Comments/Concerns

Mr. Denner asked if off duty conduct regulations and expectations were explained in supervisor training.

Sergeant Crompton replied, stating that off duty conduct expectations were not explicitly explained or trained but was understood. Off duty conduct was circumstantial. Thought EPD was not paramilitary, there were expectations having to do with respect, similar to those of a paramilitary organization. Sgt. Crompton explained that this case was a clear indication of off duty misconduct.

Ms. Pitcher added there was a policy that covered intoxication at offsite events. She said this event was different than a private party. In this case, the policy and expectations for an offsite event were clear.

Mr. Denner said he was less concerned less with the conduct, but rather with crossing the lines of subordinate and peer relationships.

Sgt. Crompton said one could put oneself in a bad situation. He emphasized the importance of using common sense.

Mr. Denner stated that with subordinate and peer relationships could be compromised as a leader when engaged in inappropriate conduct. He emphasized this was a leadership issue and should be trained.

Mr. Wig appreciated the Captain's memo as it presented the expectations of conduct in a way that was unambiguous.

Case discussion was tabled in favor of the training topic.

7. Training Topic: Implicit Bias

Mr. Gissiner introduced Dr. Johnny Lake of Northwest Christian University. Dr. Lake provided a PowerPoint presentation on implicit bias and engaged the CRB and attendees in discussion about implicit bias. Below are the main points discussed in the training:

- Dr. Lake distributed the handouts entitled: *Glossary for Understanding and Dismantling Structural Racism; Promoting Racial Equity Analysis; Understanding Culture; Commonalities; Individual and Institutional Change; Diversity in Oregon Bingo Game, John Adams description of Crispus Attucks vs. Darren Wilson description of Michael Brown*
- Explicit vs. Implicit
 - explicit: uncomfortable, easy to notice
 - implicit: before something is noticed
- Socio-political context is essential to understanding implicit bias. Context defines one's worldview and influences implicit biases.
 - It's important to have safe and open conversations about race and differences. All have been conditioned to have implicit biases; it has been built into one's worldview.
 - Conversations around race and differences must begin with a certain level of honesty that we react depending on our worldview when we see someone.
 - Honesty is necessary; we all lie on a continuum of racism.
- There are four essential steps in confronting racism and implicit biases:
 - honesty
 - empathy
 - advocacy
 - action
- Self-reflection is required for this work: Change cannot happen quickly. Implicit biases need to be recognized, and challenged with consistent practice.
- We center ourselves so tightly in our own worldview that we don't see ourselves. We tend to see ourselves as the norm and everyone else who doesn't fit in this notion of normalcy is different.
- Stereotypes vary depending on context and worldview.
- Individual lenses and institutional frameworks foster structural and institutional implicit biases.
- Physical and psychological separation allows rationalization of what happens to others. Allows for a lack of empathy through dehumanization.

- The self and others need to be connected; relationships with those considered to be different and deeper cultural engagement are needed in order to confront dehumanization, stereotyping and implicit biases.

10. ADJOURN

Mr. Van Houten moved to change the next CRB meeting from February 14, 2017 to February 15, 2017.

Mr. Denner, seconded by Mr. Roseta moved to adjourn the CRB meeting. The motion carried unanimously, 5:0. The meeting adjourned at 7:53 p.m.

(Recorded by Emily Mathis)

Eugene Police Department

December 2016 Open Case Report

Incident type: Supervisor Action
Status: Active
Received date: Dec 2, 2016
Class/sub-class: Service Complaint / Service level
Disposition:

RP reported that he and his neighbors have reported an illegal camping, dumping, and drug use issue on Lone Oak repeatedly over the last 2 weeks and have gotten no response from EPD. RP has been informed of the St. Vincent program and is of the opinion that it does not work...RP wants to know why EPD will not address the illegal activity that is going on.

Incident type: Supervisor Action
Status: Active
Received date: Dec 5, 2016
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an officer who neglected to secure her car key when he arrested a friend who was driving her vehicle. When RP went to retrieve the car the key was not in it, nor was the key with the belongings of her friend at the jail. The car was left on the side of I-105 and then disappeared, none of the law enforcement agencies in the area claim to have towed the vehicle.

Incident type: Supervisor Action
Status: Completed
Received date: Dec 5, 2016
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP corresponded with EPD with a concern that EPD did not in a timely manner notify him of a court date. The agency put out an ATL while he was in custody of the jail, and failed to even review the status of inmates to see if he was in custody. RP feels EPD is negligent because of the delay in serving him.

Incident type: Supervisor Action
Status: Completed
Received date: Dec 5, 2016
Class/sub-class: Service Complaint / Courtesy
Disposition: Supervisor Review-Closed

RP called to report vehicles parked overnight on the street near N. Jefferson in an area marked no parking between 11:00 p.m. and 6:00 a.m. As the call was received near the end of the violation period, it was not possible to have officers respond before the expiration.

Incident type: Supervisor Action
Status: Active
Received date: Dec 7, 2016
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office with a concern about how an officer handled a dispute that he was involved in with the boyfriend of a tenant. The gentleman who was black used racial slurs against him (he is white) which was confirmed by witnesses. The officer then cited and arrested him for the racial slurs.

Incident type: Supervisor Action
Status: Active
Received date: Dec 8, 2016
Class/sub-class: Service Complaint / Service level
Disposition:

RP is upset that he cannot get more patrols in his neighborhood.

Incident type: Incident Review
Status: Suspended
Received date: Dec 8, 2016
Class/sub-class: Inquiry
Disposition:

Allegation that an EPD employee may have shared confidential report information with a member of the public.

Incident type: Supervisor Action
Status: Active
Received date: Dec 9, 2016
Class/sub-class: Service Complaint / Performance
Disposition:

RP contacted the Auditor's Office after repeatedly trying to reach an officer to discuss a traffic accident.

Incident type: Supervisor Action
Status: Active
Received date: Dec 11, 2016
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an EPD patrol vehicle speeding and driving recklessly in wet conditions.

Incident type: Supervisor Action
Status: Active
Received date: Dec 13, 2016
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP reported an incident in which EPD was called by a third party as he and the manager were having a discussion. RP stated that he has never been treated with such disrespect.

Incident type: Supervisor Action
Status: Completed
Received date: Dec 13, 2016
Class/sub-class: Inquiry
Disposition: Dismissed-Other

RP filed a report alleging EPD officers treated him unfairly by failing to assist him during an incident.

Per Auditor - Dismissed – Other. Previously complained about the same incident.

Incident type: Supervisor Action
Status: Active

Received date: Dec 14, 2016
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office with the concern that the Eugene Police Department has failed to appropriately pursue an assault matter despite numerous assurances to RP to the contrary.

Incident type: Incident Review
Status: Active
Received date: Dec 14, 2016
Class/sub-class: Incident Review
Disposition:

RP contacted an officer at Oregon State Police, indicating that her kids discovered a credit card in her name while they were staying with her ex-husband, an EPD employee. (Investigation determined that there was no basis for the complaint as the credit card was in the name of the employee.)

Incident type: Supervisor Action
Status: Active
Received date: Dec 15, 2016
Class/sub-class: Service Complaint / Performance
Disposition:

RP was concerned about a call for service he placed to 911 for an ambulance for a mental health issue. An hour and a 1/2 later he got a police officer and Cahoots. RP felt the officer was overbearing, yelling at him that he was manipulative. The officer did not handle the situation well. He had placed the call for care for himself and he didn't get it. It was turned into an issue with his wife.

Dismissed by Auditor after review of ICV.

Incident type: IA Investigation
Status: Active
Received date: Dec 15, 2016
Class/sub-class: Allegation of Misconduct / Use of Force
Disposition:

RP contacted the Auditor's Office alleging that a canine officer used excessive force against him during an arrest.

300 Use of Force – RP alleged that a K9 Officer used excessive force during his arrest.

Incident type: Incident Review
Status: Active
Received date: Dec 17, 2016
Class/sub-class: Incident Review / Performance
Disposition:

A review of a command decision during the course of a serious incident.

Incident type: Supervisor Action
Status: Active
Received date: Dec 19, 2016
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office frustrated with the service he has been receiving from EPD in regards

to his home. When he calls he is continually told there is nothing that can be done.

Incident type: Supervisor Action
Status: Active
Received date: Dec 19, 2016
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP reported he called 911 to report a rock that had been hurled at his window, the call taker full heartedly laughed at him when he told her that it was a place of worship. She then said it would be 48 to 72 hours for a response.

Incident type: Supervisor Action
Status: Active
Received date: Dec 20, 2016
Class/sub-class: Service Complaint / Service level
Disposition:

RP in an email expressed concerns about illegal activity in the parks.

Incident type: Incident Review
Status: Active
Received date: Dec 21, 2016
Class/sub-class: Incident Review
Disposition:

RP stopped by the Auditor's Office with a story about how a vehicle she had bought from a friend and has the signed over title for, was towed by EPD without her permission because it was involved in a crime.

Incident type: IA Investigation
Status: Active
Received date: Dec 27, 2016
Class/sub-class: Allegation of Misconduct / Courtesy
Disposition:

While conducting an interview with a juvenile related to a reportable use of force, the juvenile alleged that the officer used profanity.

1101.1.B.7 Courtesy - It is alleged that an officer used discourteous language towards a juvenile while he was attempting to place the juvenile into custody. Use of Force allegation added after review.

Allegations:

Courtesy - 1101.1.B.7 Courtesy
Use of Force – 300 Use of Force

Incident type: Supervisor Action
Status: Active
Received date: Dec 28, 2016
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported a call to EPD he made in which the officer made his call for service for an assault by his tenant into a trespass call issue and then claimed he had no authority to do a trespass because he was not the owner of the property and his name is not on the trespass letter.

RP also reported that he is having problems with call takers being evasive when he requests their name.

Incident type: Supervisor Action
Status: Active
Received date: Dec 28, 2016
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an incident in which he was stopped for DUII and the officer tried to impound and search his girlfriend's car. The officer was also informed of an unloaded gun in the vehicle that is registered and owned by his girlfriend. The officer impounded the gun even though it was not his and he was shown proof of ownership. RP's girlfriend was a passenger in the vehicle and was not intoxicated and was eventually allowed to leave the scene with the vehicle. The backup officer tried to stop the officer from the impound as no crime had been committed with the gun. Now RP and his girlfriend have to go through some three month process to get the gun back.

Incident type: Supervisor Action
Status: Active
Received date: Dec 28, 2016
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP reported an Incident in which her and her family were traveling to see the lights at New Hope. An officer waved them through the intersection, and they made a right turn into a line of vehicles. Suddenly their vehicle was struck by the officer using his light stick, and yelling at them accusing them of purposely cutting in line and not listening to him even though they had not heard him.

Incident type: Supervisor Action
Status: Active
Received date: Dec 29, 2016
Class/sub-class: Inquiry
Disposition:

RP stopped by the Auditor's office to report an incident in which she had called police because her boyfriend had refused to leave, her boyfriend left and she told dispatch she would call again if she needed them. 3 hours later officers showed up at her door wanting to come in and check on her. After checking on her they asked if her boyfriend was there, she told them he was and was sleeping and not to disturb him. The officer took off to the bedroom anyway and was trying to shake him awake and then took out his nightstick. RP jumped in front of him, the officer grabbed her arm tightly enough to wrench it and leave bruises, and he also threatened to arrest her for not cooperating even though she had told them they could not go in to the room in the first place.

Incident type: Supervisor Action
Status: Active
Received date: Dec 29, 2016
Class/sub-class: Inquiry
Disposition:

RP reported an incident in which she had called police for help with her daughter who was threatening her after she had discovered an inappropriate relationship with a 35 year old man on her daughter's cell phone. The complaint alleges that the daughter told her one of the female officers who responded thought it would be a good idea to suggest to her daughter that she could just get "emancipated," instead of dealing with the issue of a mother trying to protect her daughter.

Incident type: Supervisor Action

Status: Active

Received date: Dec 30, 2016

Class/sub-class: Inquiry

Disposition:

RP reported that an officer has been profiling and stalking her, by driving by her home numerous times a day. He pulled over a friend leaving her home and questioned him about her home and drug use, even going so far as to search her friend and his passenger after accusing him of having meth.

[28 incidents displayed.](#)

Eugene Police Department

December 2016 Closed Case Report

Incident type: IA Investigation
Status: Completed
Received date: Mar 3, 2016
Class/sub-class: Allegation of Misconduct / Performance

Disposition: Sustained

Auditor initiated investigation in regards to a domestic violence investigation:

POM 1101.1.B.9 Unsatisfactory Performance. That an officer failed to take appropriate action, required by ORS 133.055 and POM 320.4.G, when he failed to take reasonable steps to effect the arrest of the suspect.

POM 1101.1.B.7 Courtesy. That the same officer used insolent language in the presence of the victim during an investigation.

Allegations:

Performance - 1101.1.B.9 Unsatisfactory Performance - Sustained
Courtesy - 1101.1.B.7 Courtesy - Unfounded

Incident type: IA Investigation
Status: Completed
Received date: Jun 8, 2016
Class/sub-class: Allegation of Misconduct / Conduct

Disposition: Sustained

It is alleged that while attending a work-related event an officer conducted himself/herself in a public place in the presence of subordinate employees and members of other law enforcement agencies.

1. 1101.1.B.17 Judgment – The officer’s actions reflected poor judgment. The officer’s decisions and actions were not in line with what a reasonable employee in similar circumstances would use or take, given the information he knew or should have known at the time.
2. 1101.1.B.25 Unbecoming Conduct – The officer’s actions reflected negatively on the Eugene Police Department and brought discredit upon himself and the Eugene Police Department.
3. 1101.1.B.27 Use of Intoxicants and Medications - An officer used intoxicants in a manner that was unprofessional and brought discredit upon himself and the Eugene Police Department.

Allegations:

Conduct - 1101.1.B.25 Unbecoming Conduct - Sustained
Performance - 1101.1.B.17 Judgment - Sustained
Conduct - 1101.1.B.27 Use of Intoxicants and Medications - Sustained

Incident type: IA Investigation
Status: Completed
Received date: Nov 17, 2016
Class/sub-class: Allegation of Misconduct / Use of Force
Disposition: Dismissed-o/s jurisdiction

RP stopped by the Auditor's Office with the allegation that officers used excessive force against her about 2 weeks ago in a possible misidentification incident. RP was arrested as a Jane Doe and alleges that officers took her down, breaking a tooth and some of her ribs. She also noted that a white hood was placed over her head and she couldn't breathe during the incident.

Dismissed - Outside Jurisdiction.

Eugene Police Department

January 2017 Open Case Report

Incident type: Supervisor Action
Status: Completed
Received date: Jan 3, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP alleged that while at Kids First facility because his child was allegedly assaulted, at the end of the process an officer directed RP into a room and told him that he was not angry enough about what happened, his affect what inconsistent with the expectations of the officer, gave him legal advice and otherwise spoke to him in a manner that made him feel scolded, intimidated and uncomfortable.

Incident type: Supervisor Action
Status: Active
Received date: Jan 4, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP called the Auditor's Office frustrated with having to pay a 270.00 tow for her vehicle that she didn't even know was stolen.

Incident type: Supervisor Action
Status: Completed
Received date: Jan 5, 2017
Class/sub-class: Inquiry
Disposition: Supervisor Review-Closed

RP reported that an officer showed up and falsely and in a discriminatory manner accused him of lighting fires, when he had only burned off a rag that had kerosene spilled on it. RP feels this officer who he has had previous contact with has a personal bias against him.

Incident type: Supervisor Action
Status: Active
Received date: Jan 8, 2017
Class/sub-class: Policy Complaint
Disposition:

RP is concerned that the EPD officers who stopped and cited his friend for DUII forced the passengers to find a way home in the middle of the night.

Incident type: Supervisor Intake
Status: Completed
Received date: Jan 10, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Dismissed-prev reviewed

RP called to complain that an officer did not take a police report from her, that another officer was a condescending "puppy", and that a Sgt. had no sympathy towards her. She admitted to calling the officers multiple times while "sober and drunk."

Dismiss - previously filed.

Incident type: Supervisor Action
Status: Completed
Received date: Jan 11, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP said he saw a police car run a pedestrian crossing, when lights were flashing and a pedestrian was crossing.

Incident type: Supervisor Action
Status: Active
Received date: Jan 11, 2017
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP in an email to Chief Kerns commended a couple of officers who arrived for a call for service about a disorderly friend that had been staying at her home also mentioned a third officer who had a resentful almost hostile attitude about being at the house, posturing, adjusting his belt, puffing his chest and making remarks about fixing the situation so officers would not have to return to this location.

Incident type: Supervisor Action
Status: Completed
Received date: Jan 16, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

Officers responded to University District Hospital for a disorderly suspect.

An officer responded to the area and located a subject that matched the description. The man stated that he was merely being stopped because he was black.

The officer explained to me that the reason he stopped RP was the fact that he matched the description of the suspect. RP was also later identified by the complainants.

A sergeant responded to the Lane County Jail and contacted the RP. The sergeant advised RP was he was there and if he believed he had been stopped due to his race. The RP stated, "No sir, I was just upset." He stated that he did not believe he was stopped due to his race and was very apologetic. He stated he was suffering from some mental health issues and was sorry for his behavior the previous day.

Incident type: Supervisor Action
Status: Active
Received date: Jan 18, 2017
Class/sub-class: Inquiry
Disposition:

RP reported an officer who is continually calling him even after he has asked him not to contact him. RP is homeless and without a phone causing the officer to be calling his friends and coming by their residences. The officer called telling him not to contact a person, threatening him and making accusations and called a couple of more times telling him I have your number I know where you live etc...

Incident type: IA Investigation
Status: Active
Received date: Jan 21, 2017
Class/sub-class: Allegation of Misconduct / Performance
Disposition:

Unsatisfactory Performance 1101.1.B.9 – A non-sworn employee allegedly failed to enter an emergency call correctly, which caused more than an hour delay in dispatch.

Allegations:

Performance - 1101.1.B.9 Unsatisfactory Performance

Incident type: Supervisor Action
Status: Active
Received date: Jan 23, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP contacted the Auditor's Office with the concern that after he was involved in a hit and run accident the other party lied to officers and was not issued a citation. Requests to the officers and EPD for an explanation have gone unanswered with no one returning his calls.

Incident type: Supervisor Action
Status: Active
Received date: Jan 23, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported a patrol car driving dangerously with no lights and sirens.

Incident type: Incident Review
Status: Active
Received date: Jan 23, 2017
Class/sub-class: Incident Review / Courtesy
Disposition:

RP wished to complain about an officer she dealt with on a call as well as the delayed dispatching of the location of a stolen vehicle.

Incident type: Supervisor Action
Status: Completed
Received date: Jan 24, 2017 :
Class/sub-class: Inquiry
Disposition: Dismissed-Other

Anonymous complaint received via US Mail: "The suspect in the Trainsong Park cab robbery looks, sounds and acts like Eugene Police Officer."

Per Auditor - Dismissed/Other. Suspect (not an EPD officer) confessed to crime.

Incident type: Supervisor Action
Status: Active
Received date: Jan 25, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP stopped by the Auditor's Office upset that he was threatened with arrest if he did not provide his SSN when he was cited for riding on the wrong side of the road on his bicycle. RP stated he provided his name and showed the officer his Oregon issued ID card, but was still hassled about the SSN.

Incident type: Supervisor Action
Status: Completed
Received date: Jan 27, 2017
Class/sub-class: Inquiry
Disposition: Dismissed-alt remedy

RP contacted the Auditor's office upset with an incident in which he was picked up by Keizer Police and transported to an I-5 gas station in Lane County so he could be arrested by an EPD officer on a charge of telephonic harassment. RP alleges that the officer failed to adequately investigate the situation to realize that he had three days previously filed against the person involved, that they did not have a valid arrest warrant issued by a judge and played games with the Keizer police to get them to pick him up and transport him to Lane County.
Dismissed - alt remedy

Incident type: Supervisor Action
Status: Completed
Received date: Jan 31, 2017
Class/sub-class: Service Complaint / Conduct
Disposition: Dismissed-Other

RP contacted the Auditor's Office with a complaint that 3 officers showed up at her home and entered it without announcing themselves. RP was in her bedroom and suddenly found a police officer there. They told her that a neighbor had filed a complaint and the neighbor says they didn't. RP stated that the officers prevented her from attending a settlement conference at court and that her phone is now missing. RP also alleged that one of the officers was verbally abusive with her.

Dismissed - preliminary investigation showed no policy violation.

Eugene Police Department

January 2017 Closed Case Report

Incident type: IA Investigation
Status: Completed
Class/sub-class: Allegation of Misconduct / Conduct

Disposition: Sustained

While off duty, an officer was on a date with a female he had recently met. During the date, the female allegedly attempted to purchase drugs with the knowledge of the off duty officer. The off duty officer made no attempt to immediately disassociate with the female. Later in the evening, while in a vehicle and off duty, the officer was involved in a verbal dispute with the female who was intoxicated. It is further alleged that during the verbal dispute, the officer removed his personal firearm, ammunition and badge from his waist area and placed it on the female's lap. The female later stated that at the time of the incident, she was aware that the officer was a Eugene Police Officer.

1101.1.B.17 Judgment

Placing the firearm in the intoxicated female's lap reflected poor judgment. The decisions and actions were not in line with what a reasonable employee under similar circumstances would make or take, given the short period of time he had known the female, that they were engaged in a heated verbal argument, that the female was intoxicated and that he placed the care of his firearm and ammunition in the possession of the intoxicated female.

1101.1.B.9 Unbecoming Conduct

As a result of the officer's placing the firearm and ammunition in the female's lap, she felt the need to call 9-1-1. A high-risk stop occurred. The off duty officer's actions reflected negatively on him as a Eugene Police officer, as well as the Eugene Police Department.

1101.1.B.16 Integrity

The officer's female companion attempted to purchase an illegal controlled substance while in his presence. Rather than terminate his involvement with the female, he continued to advance the relationship causing his integrity to fall into disrepute.

1101.1.B.3 Associations

The officer's female companion's attempt to purchase an illegal controlled substance while in his presence should have indicated that the female would have had a reputation as a criminal. Rather than terminate his involvement with the female, he continued to advance the relationship.

Allegations:

Performance - 1101.1.B.17 Judgment - Sustained
Conduct - 1101.1.B.25 Unbecoming Conduct - Sustained
Conduct - 1101.1.B.3 Associations - Within Policy
Conduct - 1101.1.B.16 Integrity - Unfounded

Incident type: IA Investigation
Status: Completed
Received date: Aug 25, 2016
Class/sub-class: Allegation of Misconduct / Performance
Disposition: Dismissed-EE Not Active

Officers responded to a violent crime. During the ensuing investigation, information was released to department members on a person of interest.

1101.1.B.9 Unsatisfactory Performance:

It is alleged that an officer failed to take appropriate action when dispatched to a Criminal Trespass case, around the time and location of a violent crime, when he located a bag with potential evidence.

Case was dismissed – employee not active.

Allegations:

Performance - 1101.1.B.9 Unsatisfactory Performance - Retired during investigation.

The Eugene Police Department received 16 commendations from citizens in December, 2016. Below is a sample of those commendations.

A citizen commended the Eugene Police Department after they witnessed officers giving care packages to the local homeless. The citizen commented, "I just think that's a wonderful thing you guys are doing. I think the Eugene Police Department is a really great police department that shows compassion."

A community member commended an employee for the work the employee has done in their neighborhood. The citizen commented, "We really appreciate all you do to keep our neighborhood safe and clean. What you have done really helps."

An officer was commended by a citizen for the way the officer treated the citizen during an incident they were involved in. The citizen commented, "Thank you for being so kind. I was not myself and appreciate the kindness you showed."

A citizen commended an officer for their cooperation while obtaining photo footage needed from the scene. The citizen commented that the officer did a "really great job providing on-scene sound bite". The citizen further stated that the officer was "excellent, awesome!"

An officer was commended by a citizen for the "extraordinary act of kindness and over the top professionalism" that was displayed when the officer was contacted by two senior women who were looking for someone who was supposed to have landed and was to meet up with them. The officer checked with the airline and found out the person was not on board. The officer then patiently helped them through phone calls and a little detective work to find the gentleman who was supposed to be on the flight but was instead flying in later. The citizen stated, "He was thoughtful, caring and genuinely interested in them. They asked for help and he gave it."

A citizen commended an officer on how they handled a recent incident involving a family member that was being disorderly. This created a very difficult situation for the citizen's family. The citizen was very impressed with how "compassionately" the officer handled the situation. The citizen felt compelled to pass on their "heartfelt gratitude".

An officer was commended by a citizen for their "understanding" during a recent call for service. The citizen commented, "I couldn't have imagined a more perfect, kind and understanding officer. (Officer's name) reacted to our situation so perfectly, that my daughter is, not only home safe and warm, she is seriously interested in doing some future ride-alongs...I can't express how extremely thankful I am that God sent the best fit and most perfect officer Sunday morning!"

A citizen commended an officer for the compassion that was shown to the very difficult situation they had been experiencing that included the use of drugs and committing crimes. The citizen commented, "I couldn't have asked for a better officer. I am having a rough time in my life using meth and stealing...(officer's name) talked with me and gave me the time of day to make me feel worthy as a person. I just want to thank him again for being there and giving me the courage to not want to throw my life away to drugs or prison."

The Eugene Police Department received 33 commendations from citizens in January, 2017. Below is a sample of those commendations.

A citizen commended an officer for their time and efforts in working with the citizen's neighborhood. The citizen commented, "He has worked beyond the call responding to local concerns, from meeting with neighbors to creatively working on notifications indicating police responses to calls."

The Communications Center staff was commended by a citizen for the way they handled the citizen's call until their situation was resolved. The citizen commented, "I had an experience last night with dispatch and it was amazing. I just wanted to commend them for the way it was handled. It was very kind, compassionate and understanding."

An officer was commended by a citizen for their professionalism and assistance in dealing with a noise complaint. Officers were not able to respond initially to the call for service due to the call load, but ensured the citizen's concerns were addressed. The citizen commented, "(Officer's name) phoned me to explain that many emergencies interfered with arriving earlier and was most empathetic."

A citizen commended department employees for their assistance related a reported assault on the citizen's neighbor. The citizen commented that the call-taker "was extremely patient" and provided "a huge amount of information" on how the citizen should proceed with what was witnessed. When officers arrived to the citizen's residence, the citizen stated, "I was very impressed." The officers were able to advise the citizen on how to handle similar situations in the future. The citizen further commented, "These gentlemen had very good education and training around that."

Officers were commended by a citizen for their assistance in removing an illegal camper at Skinners Butte Park. The citizen commented, "Thank you very much. That was really quick!" The citizen also expressed their gratitude with the improvement in the Park Blocks. The citizen further stated, "I haven't really been able to walk through that area in the last couple of years. It's much better now."

A citizen commended an officer for their "professionalism and compassion" when the citizen's recently deceased son's pick-up truck was stolen. The citizen commented, "I just want to thank him for his kindness and understanding. I was pretty shook up to have our son's truck stolen, and (officer's name) brought a steady reassurance and calming to me and my husband."

An officer was commended by a citizen for their assistance. The citizen and their son were passing through Eugene on a trip from Washington to California. The citizen was towing a new trailer and was having a malfunction with the slide-out. The officer drove by and tried to assist, without success initially. The citizen commented, "But after he left, he went online, ran down the make and model, and shortly returned." The officer had found the answer! The citizen further commented, "I was amazed that (officer's name) took the time to research this out for us. This was an act of kindness beyond his responsibility as a police officer, and I was greatly impressed."

A citizen commended the Eugene Police Department for their "exemplary service" to the community during the Women's March that took place in Eugene on January 21, 2017. The citizen commented, "It was the most perfect example of 'To Serve and Protect'. Once again I am reminded of how fortunate we all are to live in Eugene, Oregon."

Officers were commended by a citizen for their support during the recent Women's March. The citizen commented, "I just wanted to put in writing my thanks to you for your leadership and to your team who monitored and guided the Women's March on Saturday. The officers were smiling, engaging, helpful, and encouraging to the crowd. I heard many people personally thank them for their presence and their good work. They enabled us all to have a positive experience."

A citizen commended officers on the professionalism that was shown in dealing with an unruly patient at the hospital that was needing medical clearance prior to being processed at the jail. The citizen commented, "When I say unruly, I mean disrespectful, uncooperative and rude... Despite the patient's best efforts, (officer's name) kept calm and professional. Best of all he kept his sense of humor during the ordeal. I just wanted to let him know that I appreciate his patience and good attitude."

A citizen commended the Eugene Police Department for their service during the recent Women's March. The citizen commented, "Thank you and your department, for your smooth overseeing of the Women's March last Saturday. We all enjoyed the wet and rainy day made possible by the helpfulness of the E.P.D. It was much appreciated."