



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
Tuesday, June 13, 2017 - 5:30 p.m.
Eugene Public Library, 100 West 10th Avenue, Bascom Room
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 May 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. Update on Hiring Process for Eugene Police Chief	5 minutes (5:55 pm)
6. Training Topic: Crisis Intervention Training	25 minutes (6:00 pm)
7. Break	10 minutes (6:25 pm)
8. Case Review: Review of External Complaint Alleging Excessive Force	30 minutes (6:35 pm)
9. Auditor Report	20 minutes (7:05 pm)
10. Adjourn	(7:25 pm)

MINUTES

Civilian Review Board
Sloat Room—Atrium Building—99 West Tenth Avenue
Eugene, Oregon

May 9, 2016
5:30 p.m.

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

Mr. Van Houten convened the Civilian Review Board (CRB) at 5:31 p.m.

1. AGENDA AND MATERIALS REVIEW

MOTION: Mr. Wig, seconded by Mr. Roseta, moved to change agenda item 5 to *Training Topic: Chief Kerns - Corrective Action*. The motion carried unanimously.

2. PUBLIC COMMENT

Majeska Seese-Green, A Community Together (ACT), said was concerned about the statement read by Mr. Van Houten during the April CRB meeting regarding audio recordings. She was particularly concerned with the wording of the line that stated, "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." She was understood that the CRB discussed the precluding staff from official audio recordings of CRB meetings, not the public. The way it was written in the minutes made it appear this rule pertained to the public, as well, which had legal implications. She thought this was an issue of transparency.

3. MINUTES APPROVAL— April 2017

Mr. McIntire noted the following errors:

- His name was misspelled throughout the document. It read *Mr. McIntyre* and should read *Mr. McIntire*
- Page 3, the following correction should be made:
 - He requested **and** update and more information on the progress about biased based policing and the collection of data around that subject.
- Page 4, the following correction should be made:
 - Mr. Roseta found no fault with intake. He did **not** believe the son had any constitutional claim and found no evidence that the officer attempted to get a statement from the suspect at any time.
-

Mr. Van Houten deemed the April 2017 minutes approved by acclamation.

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

Mr. Denner's recollection of the discussion about audio recordings did not preclude a member, press, or audience member from recording. He did not believe that the CRB restricted the press or individual members from making audio recordings of the CRB meetings.

Mr. McIntire was present when the CRB discussed the issue of audio recordings. The discussion was about whether the CRB was going to record the meetings as an official transcript.

Mr. McIntire reported on the Police Commission meetings. He said the Police Commission was working on the conduct policy. During a planning session in which the group discussed ideas for the work plan. Three ideas were discussed:

- Use of force regarding de escalation
 - Mr. McIntire shared a quote from the LA Police Department's revised policy on de-escalation; he thought the wording was well written and succinct;
- Biased based policing
 - There was an intention to move forward with a second study on the topic because there were some difficulties around technology and insufficient participants during the first study; and
- In Car Video

Mr. McIntire said there would be further discussion on these issues, the planning session, and work plan prioritization, and emerging issues at the next Police Commission meeting. He could not attend the meeting, so he asked if another CRB member could attend in his absence. He planned to submit written comments.

Mr. Van Houten thanked Ms. Seese-Green for her comments. He clarified that the CRB did not approve, or sanction audio and video recordings. The CRB did not approve accuracy factuality of recordings because they were not sanctioned by the CRB itself. It was never an intent to limit anyone's ability to record audio or video. The CRB strived for transparency, as Oregon State law allowed. He also highlighted the importance of protecting the police force.

Mr. Wig announced that May was National Drug Court Month and shared some facts about local treatment court. He said he worked to provide substance abuse counseling and treatment to treatment court clients at Emergence for the past two and a half year and was promoted to program director seven months ago. He said this year, National Drug Court Month arrived amid new interest in criminal justice reform. National, state and local leaders were looking to reform the criminal justice system to see how best to address equity concerns, as well as reduce costly over reliance on incarceration. Sentencing and prison reform was a start, but to reduce substance abuse, crime and recidivism while saving money for taxpayers, Drug Court needed to continue. More research had been published on the effects of drug courts than virtually any other criminal justice programs combined. In 2012, the U.S. Government Accountability Office submitted a report to the Congress confirming Drug Courts reduced substance abuse, crime and save money. Nationally, Drug Courts returned to the community up to twenty seven dollars for every dollar invested. Drug Courts reduce crime by up to 50 percent, and the longest study to date showed reductions lasted an astounding 14 years. Moreover, studies showed that the more serious an individual's drug addiction and the longer his or her criminal record, the better the Drug Courts worked. This approach not only diverted individuals from a life of drug abuse and crime, but also was proven to reduce use of jail or prison beds and family conflicts associated with domestic violence and child abuse. Drug Courts represented a path that would not only save critical money for taxpayers, but save the lives of neighbors and troops suffering the ravages of addiction and mental illness. This year's National Drug

Court Month celebration signaled that the time had come to reap the economic and societal benefits of expanding this proven budget solution to all in need.

5. Training Topic: Chief Kerns - Corrective Action

Chief Kerns provided information on progressive disciplinary action. Corrective action ranged from 1) those which do not constitute discipline, which included coaching, document and counseling 2) and to those that do, which include written reprimand, suspension. The collective bargaining agreement and Policy 10.20 on internal affairs processes governed how to administer discipline. The process with adjudications is as follows: when the investigation was complete and was approved by the lieutenant, it went to the first line supervisor, who prepared an adjudication recommendation that went up the chain of command. The auditor's office then made a recommendation and the Chief of Police made the final adjudication decision. If discipline was sustained the case went back to the first line supervisor who met with Human Resources. The Human Resources professional review facts from the case and compared then to all other cases that the city maintain to see what discipline had resulted from this kind of conduct in the past. The supervisor then prepared a disciplinary recommendation and it was sent up the chain of command and ultimately the Chief of Police made the final decision on disciplinary action. Any discipline administered could be grieved. Non-represented employees had a similar grievance process called a complaint process, which ended with the city manager. The disciplinary process involved due process, in which timelines were provided by the collective bargaining agreement. First, the employee and the union received a letter of recommended discipline ten days before needing to respond back in writing and speak with the supervisor in person. Discipline was then administered and the union or non-represented employee could proceed with the grievance process. Chief Kerns added that some requested a discipline matrix be used when deciding disciplinary action. However, Chief Kerns said cases were complex and typically involved multiple actions so, a matrix might not apply to all cases.

Mr. Roseta asked if a due process hearing was required in due process situations.

Chief Kerns said as per the collective bargaining agreement, the hearing was the meeting with the supervisor. The employee could make their case both in writing and at the meeting with the supervisor. Some cases have gone to arbitration.

Mr. McIntire asked if studies had been done on the use of a discipline matrix.

Chief Kerns said most studies were done in major cities. Eugene Police Department (EPD) staff considered a variety of ways discipline matrices were implemented and EPD's history of disciplinary practices in order to identify potential patterns. They found that there were not consistent patterns because fact sets in cases were so varied.

Mr. McIntire asked what was done to mitigate inconsistency in disciplinary actions.

Chief Kerns said the supervisors deliver the discipline, but the disciplinary decision was only approved by one person. He said consistency did not seem to be a common complaint. The most common complaint was around predictability. The EPD did not have to take disciplinary action very often, making it difficult to predict disciplinary action.

Mr. Van Houten asked about suspension with and without pay. He wondered how decisions were made about whether someone received pay while suspended.

Chief Kerns said all suspension was without pay. Before a case was adjudicated, there were times when an employee was put on administrative leave with pay. Decisions were made at the point of adjudication; an employee was put on administrative leave in the case of criminal cases with probable cause or sustained adjudications that lead to termination.

Mr. Van Houten asked how annual performance evaluations were taken into consideration in disciplinary action.

Chief Kerns stated that supervisors could examine everything that occurred with that employee in the previous year. If the employee received corrective action earlier in the year and there was no repeat of that behavior, the supervision could choose whether to mention it. He thought the whole evaluation system within EPD needed revision. This was part of EPD's strategic plan and he was confident improvements would be made.

Ms. Marek arrived at 6:06 p.m.

Mr. Van Houten asked if there was training for officers who had recently moved into supervision positions.

In response, Chief Kerns said training was inadequate. In the past, a forty hour supervisor training course was required, but due to funding cuts in 2008/2009, the course was no longer implemented. Currently, the EPD relied on mentorship from Sergeants and Lieutenants to train new supervisors. Chief Kerns thought a new first line supervisor training program was needed, but currently there was no way to implement it. He mentioned that a command leadership training day, which involved leadership and administrative training was implemented quarterly. He also added that advanced training by the FBI national academy and an annual northwest leadership training in Vancouver, Washington was offered to Lieutenants. While EPD provided these training opportunities, Chief Kerns did not think they were adequate.

Mr. Denner asked if there was a time limit of the performance review cycle that put newly promoted sergeant or lieutenant officers on a shorter track to their first review.

Lieutenant Ron Tinseth said there was a one year probation period.

Chief Kerns added that EPD offered a career development opportunity for those interested in becoming a sergeant or lieutenant.

Mr. Denner asked if there were many applicants for higher level positions.

Chief Kerns said consistently fewer than ten officers applied for sergeant and lieutenant positions. He thought because there was not a mandatory shift rotation policy, many times officers tended to get comfortable in their current positions and did not want to change positions. The more movement in shifts an officer experienced, the more likely they were to apply for promotion. He added that during the last contract bargaining, mandatory shift rotations were bargained for detectives and all special assignments.

Ms. Marek asked if the collective bargaining agreement preclude the ability to consider recurring unsubstantiated allegations.

Chief Kerns said if disciplinary action was not taken, then the allegation was not taken into consideration. Decisions were narrowly focused on the facts of the current case. The only time outside allegations were taken into consideration was when previous discipline was not stale.

Mr. Wig asked if there were ever situations in which there were patterns of recurring allegations that had insufficient evidence.

Chief Kerns said occasionally this did happen. When it did, it was handled internally and was the responsibility of the supervisor to address this behavior and coach the officer.

Mr. Denner thought discipline went back to training; he wondered how training could be structured in a way that helped lessen behavior patterns that resulted in disciplinary action.

Chief Kerns said the value in the current system was that police auditor staff actively examined cases for patterns. When patterns were identified, in-service, policy and training were implemented to address said patterns. He emphasized the importance of ensuring training was developed only for patterns that were common, not for the patterns of one officer. He added that a policy review program was implemented in which policies were reviewed cyclically in briefings.

6. BREAK

The CRB took a brief break from 6:22 p.m. to 6:33 p.m.

7. CASE REVIEW: Service Complaints

Mr. Van Houten stated the following would be the CRB's annual review of service complaints. Five cases identified by the police auditor's office would be reviewed.

Ms. Pitcher offered a PowerPoint presentation entitled *Case Summaries—Civilian Review Board—May 9, 2017* and facilitated a discussion on each case before the CRB.

Complaint #1 Summary of Facts

- Officer A stopped a vehicle under suspicion of DUII. He learned the driver was affected by a medical condition, and that he had recently met his passenger, who had offered to help him get home. However, the vehicle was traveling in the wrong direction to get to the driver's home.
- Officer A began to suspect that the passenger may be taking advantage of the driver and asked for his identification. RP complained at that point that he was being harassed due to his race, and Officer A requested a supervisor respond.
- The supervisor explained the officer's actions to the RP.
- Further investigation indicated that the officer's instincts may have been correct, as RP had a record of robbery.
- The supervisor recorded the complaint in Blue Team and recommended that it be closed. Our office concurred.
- Classification: Inquiry

Ms. Marek observed that in this account, as with other cases, the supervisor that wrote the report mentioned the criminal background of the complainant. She emphasized that someone with a

criminal background could still have a justified complaint. She felt the complainant's criminal background was not relevant to this case.

Mr. Wig asked how often service complaints were internally generated, such as this one.

Ms. Pitcher stated that twenty one percent of total complaints were internally generated.

Mr. Wig asked who the reporting party (RP) was in that case.

Ms. Pitcher answered, stating the involved citizen or civilian was the RP.

Mr. Gissiner commented that there is now a state law mandated process for an allegation of discrimination by an officer to be reported by the supervisor and that the complainant be interviewed by the state agency.

Mr. Van Houten echoed Ms. Marek's comments; he thought the criminal record of the complainant had nothing to do with the allegation.

Mr. Gissiner said the intent of Blue Team was to collect information for internal use. Every supervisor wrote the information in different ways, and some included longer narratives such as included in this case.

Mr. McIntire said the complainant's background was helpful in setting the context; however, it should not be used. He was disappointed that a race allegation was added in after the fact.

Mr. Denner was pleased with the conduct of the officer and the supervisor. He disagreed with Mr. Van Houten; he thought that while including the information that the officer examined the criminal background of the complainant in the report exaggerated the potential of racial profiling, it also explained the behavior of the individual in a way that the supervisor could better understand the situation and whether or not profiling did occur.

Mr. Roseta thought the case was handled very well and he thought having the Blue Team information available provided further insight to the case.

Complaint #2

- RP contacted the Auditor's Office to complain about how Officer A handled a situation related to ownership of a macaw.
- RP had received the bird from friends when they became unable to care for the bird. At some point after that, the friends wanted the bird back and called EPD to report that RP had stolen the bird. Officer A contacted RP and told her to return the bird.
- Supervisor A contacted RP and discussed ownership of the bird and attempted to explain that the matter was civil. The supervisor advised the employee that RP also complained that he had not returned calls.
- Classification: Service Complaint/Performance

Mr. Roseta wanted to know why the officer called the complainant's friends. He thought this case was a civil matter and was handled appropriately.

Mr. Gissiner said this was an unusual incident but both parties involved were very upset.

Mr. Denner said occasionally officers had to deal with less threatening and less dire matters, but it was what many officers dealt with every day. Often, officers made a best effort, but one of the parties might not end up happy. He thought the officer handled the call with respect for the people involved in the situation.

Ms. Marek was unsure why the officer got involved and called the other party and told them to return the bird. She felt this was a civil matter and was up to a judge to decide who had ownership of the bird.

Complaint #3

- RP called the Auditor's Office to complain about how officers handled a dispute between her and her daughter.
- The assigned supervisor spoke with the involved employees and the RP. He found that the officers had not found sufficient evidence to support probable cause for an arrest, and had instead remained at the location while the daughter moved her things to keep matters peaceful.
- The supervisor explained the officers' actions to RP to her apparent understanding, and the complaint was closed.
- Classification: Service Complaint/Performance

Mr. Wig commented that probable cause was not documented in any case materials.

Mr. Denner asked if the law stated that when a case potentially involved domestic violence, was custody mandatory?

Ms. Pitcher said the Family Abuse Prevention Act stated that cases involving domestic violence incidents required a mandatory arrest. In this case, there was no evidence of injury, so an arrest was not made.

Mr. Denner appreciated that when this case went up the chain of command, the supervisor went to the additional step of reviewing the In Car Video (ICV).

Complaint #4

- RP called the Auditor's Office to inquire as to why officers had entered his residence the night before.
- The assigned supervisor reviewed the dispatch records and related reports. He found that there had been a 911 call from a woman who lived in the apartment next to RP's; she had complained that there was an ongoing and active dispute in that apartment.
- Upon their arrival, officers noted a significant amount of blood in the entryway. Repeated knocks and announcements were not answered. Officers then entered the residence.
- The supervisor made several attempts to contact the RP but was unsuccessful.
- Classification: Policy Complaint

Mr. Roseta thought Ms. Cox handled the call very well. He thought the officers did a good job with this case.

Mr. Denner was concerned about how many people reviewed this case. He added that he hoped the officers on the scene ensured the woman was safe. The way the RP explained the scene to the 911 dispatcher indicated the scene was active. He thought that this needed to be investigated further.

Ms. Pitcher said the reports indicated that the woman denied any physical altercation and medical treatment.

Mr. McIntire thought this was a clear example of the Community Caretaking Act used effectively.

Mr. Van Houten thought the officers seemed within their jurisdiction.

Mr. Wig agreed with Mr. Roseta's comments.

Complaint #5

- RP called the Auditor's Office to complain about how he was treated during a call to his home. He stated that they laughed at him when he had a seizure and were confrontational with him.
- The assigned supervisor reviewed in-car video and found that officers had not acted in the way described and had not violated policy.
- The supervisor made several attempts to contact the reporting party but was unsuccessful.
- Classification: Inquiry

Mr. Gissiner emphasized the value of ICV in this case. Without the use of ICV, this would have resulted in a full internal affairs investigation.

Ms. Marek agreed that this was a good illustration of why the ICV recordings were valuable to all involved.

Mr. Van Houten was concerned about the inability to contact the RP after the investigation.

Mr. McIntire agreed with Mr. Van Houten's concern.

Mr. Denner thought the officers were very thorough about announcing their tactile mute during the call. He thought the officers did a great job.

Mr. Roseta said the last portion of the ICV indicated that mental health was an important aspect of this case; the civilian involved did not realize that there were nine people (officers and Emergency Medical Technicians) who attempted to aid the civilian and he did not realize it.

Mr. Denner thought the thoroughness of all five cases stood out to him. He thought some of the supervisors went beyond expectations. He thought the memorandum included in the last case was short and not very thorough. It made him wonder if enough time was utilized throughout the investigation. The whole point of Civilian Review and supervisor review was to improve processes. He was frustrated that the supervisor did not put the time necessary into the memorandum.

8. AUDITOR REPORT

Mr. Gissiner reported on the following:

- CRB membership applications: a committee was selected to review the application for the CRB; eighteen applications were received. A public meeting was held to discuss and select applicants for interview. Five applicants were selected and that information was sent to City Council. Interviews began in city chambers next Monday.
- The auditor’s office met with City Council on May 8, 2017.
 - Staff provided a great written annual case report presented to Council by Mr. Gissiner; a copy of which would be sent to the CRB.
 - Beatrice Hernandez provided a community engagement report; she did an excellent job. City Council was very impressed with her work. Some of the projects Ms. Hernandez had been working on were: a two-minute audio/video about the complaint process in Spanish and English, developing an anonymous survey of immigrant community members and organizations to gather information about interactions with the police.
- Mr. Gissiner was elected Board President of Huerto de la Familia (The Family Garden), a 501c-3 serving families in Lane County to assist them in growing their own food through family gardens.

10. ADJOURN

Mr. Van Houten adjourned the CRB meeting at 7:29 p.m.

(Recorded by Emily Mathis)

Eugene Police Department

May 2017 Closed Case Report

Incident type: IA Investigation
Status: Completed
Received date: Dec 27, 2016
Class/sub-class: Allegation of Misconduct / Use of Force
Disposition: Sustained

While conducting an interview related to a reportable use of force, the RP told a supervisor that an officer directed profane language toward him.

1101.1.B.7 Courtesy - It is alleged that an officer used discourteous language while he was attempting to place the male into custody.

800 Use of Force - It is alleged that an officer used excessive force while taking a male into custody.

Allegations:

Courtesy - 1101.1.B.7 Courtesy - Sustained
Use of Force - 800 Use of Force - Within Policy

Incident type: IA Investigation
Status: Completed
Received date: Jan 23, 2017
Class/sub-class: Allegation of Misconduct / Conduct
Disposition: Sustained

RP reported to a supervisor that during a response to a call for service an officer used profanity and made disparaging remarks about EPD colleagues and members of the public.

1101.1.B.25 - Unbecoming Conduct - It is alleged that during contact with the reporting party, an officer made comments that reflected negatively on the Eugene Police Department and brought discredit upon himself and the Eugene Police Department.

Allegations:

Conduct - 1101.1.B.25 Unbecoming Conduct - Sustained

Incident type: IA Investigation
Status: Completed
Received date: Jan 25, 2017
Class/sub-class: Allegation of Misconduct / Performance
Disposition: Undisputed policy violation; closed with facilitated conversation; Dismissed-Other on complaint that the complaining party did not commit the bike riding violation.

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. RP stated that the officer had two back up officers who showed up and no one corrected the idea that he must provide the SSN. RP stopped by later and added that the citation issued listed a motor vehicle ORS charge and not one for a bicycle.

Eugene Police Department

May 2017 Open Case Reports

Incident type: Supervisor Action
IA No: IA17-097 Status: Completed
Received date: May 1, 2017
Class/sub-class: Inquiry
Disposition: Dismissed-alt remedy

RP stopped by the Auditor's office with the complaint that he was detained, arrested and forced to go to the hospital without probable cause. RP said supposedly the proprietor of the business called him in as a trespasser. He was never told to leave and had only been on the premises a couple of minutes at the time. RP was charged with having meth, when he did not have any on his person. (Subject was transported to hospital because he still had a syringe in his arm when arrested.)

Dismiss: Alternate Remedy

Incident type: Supervisor Action
Status: Completed
Received date: May 1, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP was referred by the DA's office about an issue in which a man wrote a bad check They were directed by EPD that they had to wait 10 days to file a report and then after the report was filed they were told that it appeared to be a civil issue. The DA's office indicated that since the check was such a large sum it would typically be turned over to them. RP feels that this is a criminal matter.

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

The Police Auditor's Office received an anonymous letter alleging an off duty officer was allegedly "sexually harassed" by another off duty officer approximately 7-10 years ago.

Reclassified by the Auditor and Dismissed for Timeliness.

Internally assigned for additional follow up and documentation.

Incident type: Supervisor Action
Status: Active
Received date: May 1, 2017
Class/sub-class: Inquiry
Disposition:

RP alleged his wife was unlawfully detained during a traffic crash investigation. After giving her information, she wanted to leave with medics to the hospital, but instead had to stay. She eventually left to the ER, and officers later showed and cited her.

RP, who was not at the scene surmised race played a part in the officers' treatment his wife.

There is ICV of the incident which contradicts the RP's version; however, because racial disparity was alleged, per State law, the incident must be investigated.

Incident type: Supervisor Action
Status: Completed
Received date: May 1, 2017
Class/sub-class: Policy Complaint
Disposition: Supervisor Review-Closed

RP stopped by the Auditor Office with the complaint that an officer told him he could not take his service dog to a retail establishment.

Incident type: Supervisor Action
Status: Active
Received date: May 2, 2017
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP stopped by the Auditor's Office frustrated with an interaction he had with an officer in the Park blocks, RP decided to wait in the park and listen to the fountain about 0645. RP has lived downtown for many years and has read the rules of the park, which do not say you cannot spread out a blanket and sit or lay on the grass. RP was roused by the officer who insisted that he was camping and threatened him with a citation.

Incident type: Supervisor Action
Status: Completed
Received date: May 2, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP reported an issue with three officers who told him he could not have his service dog downtown.

Incident type: Supervisor Action
Status: Active
Received date: May 3, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP stopped by the Auditor's Office frustrated with officers who would not allow him to retrieve his own bicycle from a friend's porch.

Incident type: Supervisor Action
Status: Completed
Received date: May 4, 2017
Class/sub-class: Inquiry
Disposition: Supervisor Review-Closed

RP alleged that officers stole \$20 from him.

ICV showed after RP was taken into custody an inventory of his property was done with ICV activated. His property, including \$15 cash in the denominations of five \$1 dollar bills and one \$10 dollar bill, was placed into a jail property bag.

In-car video showed the inventory search. The camera captured most of the search, but the left side of the RP could not be seen. RP's property was placed on the hood of the car in plain sight and then transferred to a jail property bag. His money was observed on camera, appeared to have been stacked and counted and placed into the bag. None of the officers remembered RP possessing a twenty dollar bill.

The supervisor observed the RP prior to his arrest and saw he was visibly impaired and belligerent. He interviewed the RP the next day at the jail, as he was still in custody. The supervisor recorded the interview and advised the RP of the recording. He told the RP he reviewed in car video of his arrest and

property inventory and found it unlikely he had a \$20 dollar bill.

RP said he "was a little high. Drunk." RP said he consumed a "case of beer" and "marijuana" that day. He stated, "I might have been drunk and spent it." "I was kind of being a douche." RP recanted his accusation and did not wish to pursue any further action with the matter.

Incident type: Supervisor Action
Status: Active
Received date: May 5, 2017
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP contacted the Auditor's Office about an interaction he had with an officer while trying to report a man wandering in traffic playing matador with a piece of carpet. When he flagged the officer the response he got was, "What the hell do you want?" and "Do you have a damn phone?"

Incident type: Supervisor Action
Status: Completed
Received date: May 5, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office upset with an officer that was arrogant with him and a delivery person who was unloading boxes in the alley at his business.

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

RP contacted the Auditor's Office inquiring into why the evidence she submitted to an EPD officer taking a courtesy report for Marion County was not forwarded to that jurisdiction.

Incident type: Supervisor Action
Status: Completed
Received date: May 6, 2017
Class/sub-class: Inquiry
Disposition: Dismissed-alt remedy

RP alleged that she had provided end of life care for a person and wanted a BMW for payment but the executor refused and EPD would not take a criminal report.

Incident type: Supervisor Action
Status: Active
Received date: May 7, 2017
Class/sub-class: Inquiry
Disposition:

Officers responded an unrelated call in the area when they were made aware of a dispute between neighbors. After investigating the incident the officers determined there to be no clear crime other than a dog at large issue. When officers advised one half of the involved party their determination they became upset and wished to speak to a supervisor.

Incident type: Supervisor Action
Status: Active
Received date: May 8, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP spoke with the Auditor's Office about a report she tried to make at the EPD headquarters about her son who is being assaulted at his pre-school by another child. She alleged that the officer told her it was not a reportable offense.

Incident type: Supervisor Action
Status: Active
Received date: May 8, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP filed a complaint that during an incident with her husband an officer grabbed her pulled her outside and pushed her against a car. There was no verbal warning or asking to step away from the situation in which she was trying to get her husband to leave.

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

RP reported that he has numerous times noticed officers hiding back in the parking lot a church in order to catch traffic violators. RP believes this is not legal according to OR law and just wants to bring it to EPD's attention.

Incident type: Supervisor Action
Status: Completed
Received date: May 8, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP contacted the Auditor's office to express frustration with the hearing process for her dog. RP said it took over 5 months to have the issue resolved, with her neighbor being allowed to postpone 3 times. One time the hearing was postponed due to the weather but no one bothered to call to notify them and they went out in the weather to be present only to find out it was canceled. Once the hearing took place the man in charge was confused about the issue and kept mixing her up with the complainant. Then after they found her dog dangerous, she was told she could appeal in 6 months, but later learned no it was 1 year. RP also mentioned that she cannot get a supervisor to call her back.

Incident type: Supervisor Action
Status: Active
Received date: May 10, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP) called the Chief's Office from the east coast regarding some issues his son experienced after a welfare check at his apartment.

Incident type: Supervisor Action
Status: Active
Received date: May 15, 2017
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office to report an EPD SUV that came within a foot and a half of him.

Incident type: Supervisor Action
Status: Completed
Received date: May 15, 2017
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP reported an officer who failed to return his license after giving him a citation after following him for a mile and half. RP also felt the officer was unprofessional when asked what the citation was for, he was told you'll find out in court. After a week of not hearing about his license, he called and the officer left a message saying he didn't have the license, but that is the last time RP had it.

Incident type: Supervisor Action
Status: Active
Received date: May 15, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP called with a concern about a mentally disabled person that they have had near the church causing problems and has had weapons. RP is concerned that on the numerous times officers have responded they have not taken him to the Johnson Unit for help.

Incident type: Incident Review
Status: Active
Received date: May 15, 2017
Class/sub-class: Incident Review / Conduct
Disposition:

Internally generated allegation that an officer disparaged a potential department asset causing the department to lose a grant to obtain the asset.

Incident type: Supervisor Action
Status: Active
Received date: May 16, 2017
Class/sub-class: Inquiry
Disposition:

RP filled out a complaint form upset with what she perceived as EPD's very public show of force in front of the library while arresting two different African American men.

Incident type: Supervisor Action
Status: Active
Received date: May 17, 2017
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office inquiring about a situation where officers responded to her apartment because neighbors called about a noisy fight between her and her husband. By the time officers arrived RP's husband had left, and they wanted to check her apartment. When she gave permission one officer went into her home closed the door and questioned her minor children without her present. The other officer would not allow her back into her home. RP wants to know if it was legal for the officers to do this.

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

RP called the Auditor's Office on behalf of another alleging that an officer entered her residence without probable cause and without her permission.

Incident type: Supervisor Action
Status: Completed
Received date: May 19, 2017
Class/sub-class: Policy Complaint
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office upset that officers are threatening to tow his motorhome, which he claims is his place of business and that officers do not have the right to do that.

Incident type: Supervisor Action
Status: Active
Received date: May 22, 2017
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP contacted the Auditor's Office upset with a contact she had with an officer during her call for service for loud noise (some man taking his bike apart) coming from the School District Office which is near her home.

Incident type: Incident Review
Status: Completed
Received date: May 22, 2017
Class/sub-class: Incident Review / Performance
Disposition: Supervisor Review-Closed

RP reported an incident in which his girlfriend was t-boned by an EPD officer in the parking lot near their apartment. RP alleged that medics were not called for his girlfriend who hit her head, nor were they even offered by the officers.

Incident type: Supervisor Action
Status: Active
Received date: May 24, 2017
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office upset that she was called to her daughter's school where an officer proceeded to accuse her daughter of taking a cell phone. The officer continued to question her daughter after she told him not to, that her daughter would not be answering any further questions. The officer then gave her daughter a citation for theft with no other proof then that the phone had pinged near their home.

Incident type: Supervisor Action
Status: Active
Received date: May 24, 2017
Class/sub-class: Inquiry
Disposition:

RP complained that he was pulled over by another officer due to someone calling in about him and his 3 year old daughter sitting in their vehicle without their shirts on, on a hot day. RP and his daughter live

in the car. RP feels that the situation with the second stop may have something to do with an incident at a laundromat about a month ago, in which he got into a spat with a woman who claimed to be a cop's wife, and that the officer may have been retaliating against him.

Incident type: Supervisor Action
Status: Active
Received date: May 24, 2017
Class/sub-class: Service Complaint / Service level
Disposition:

RP contacted the Auditor's Office upset with the service he has received from EPD when trying to report a road rage incident.

Incident type: Incident Review
Status: Active
Received date: May 24, 2017
Class/sub-class: Incident Review / Performance
Disposition:

The Auditor's Office received an anonymous complaint regarding a violent crime investigation, alleging that the involved officer did not take basic investigative steps in response to the crime and that the resulting, inadequate report was inappropriately approved by a supervisor.

Incident type: IA Investigation
Status: Active
Received date: May 25, 2017
Class/sub-class: Allegation of Misconduct / Use of Force
Disposition:

809.4.1 Authorized Use of the Taser - It is alleged that an officer's use of his Taser against a subject was not reasonable based on the totality of the circumstances.

Incident type: Supervisor Action
Status: Active
Received date: May 25, 2017
Class/sub-class: Inquiry
Disposition:

RP stopped by the Auditor's Office to complain that he was told he could not be present with his wife and children at Kids First as he was being investigated.

Incident type: Supervisor Action
Status: Active
Received date: May 26, 2017
Class/sub-class: Inquiry
Disposition:

Internally generate allegation that a non-sworn employee mishandled evidence.

Incident type: Supervisor Action
Status: Active
Received date: May 26, 2017
Class/sub-class: Service Complaint / Performance
Disposition:

RP emailed the Auditor with a concern about police not arresting a man who had been previously

banned from his place of employment. The man had become belligerent, making threats to harm and kill RP. RP states he was not allowed to press charges with is not the first time this has happened.

Incident type: Supervisor Action
Status: Active
Received date: May 30, 2017
Class/sub-class: Inquiry
Disposition:

RP contacted the Auditor's Office upset that detectives continue to contact her about things she has no knowledge of regarding gang activity.

Incident type: IA Investigation
Status: Active
Received date: May 30, 2017
Class/sub-class: Allegation of Criminal Conduct / Conformance to Laws
Disposition:

1101.1.B.5 Conformance to Laws – A non-sworn employee was charged with a misdemeanor.

Allegations:

Conduct - 1101.1.B.5 Conformance to Laws

The Eugene Police Department received 19 commendations from citizens in April, 2017. Below is a sample of those commendations.

A citizen commended officers for their professionalism and courtesy during a recent contact with a trespasser at the citizen's place of business. The citizen had requested assistance in removing the trespasser from the property and was very impressed with how polite and patient the officers were in gaining compliance from the trespasser.

Officers were commended by a citizen for the positive interaction that was conducted with the citizen's ex-spouse. The citizen's ex-spouse had been experiencing some troubling times recently that involved police having been called to assist. The citizen commented, "To all the police officers, I just want to say thank you. It hurts my heart but thank you so much for doing your job."

A citizen commended officers for the compassion shown during a recent incident where a community work-center experienced the devastating loss of a co-worker. The citizen commented, "At the end of a very long day, late in the evening, I received a call of support and encouragement from (officer's name). I am not sure he knew how much that call meant at that particular moment. I am very thankful for his kind words and thoughtfulness. He was absolutely a blessing...Class act."

A detective was commended by a citizen for the professionalism that was displayed when dealing with the detective on a recent case. The citizen commented, "I have been highly impressed by (detective's name) professionalism, diligence, intelligence, detail-oriented-ness, extensive knowledge, skills, expertise, compassion, and forthrightness. He quite obviously goes the extra mile for EPD and victims."

A citizen commended an officer for their professionalism during a traffic stop. The citizen commented, "I was so impressed by (officer's name) professionalism and politeness that I felt compelled to let you know!" The citizen further stated, "He was exceptionally kind while thoroughly examining my information and informing me why he had stopped me. He took the time to listen and answer my questions. (Officer's name) is an absolute credit to the force!"

Officers were commended by a citizen for the superb job they did during a Dispute call for service at the citizen's residence. The citizen's granddaughter had become violent, which led to the citizen calling police for assistance. The citizen felt the officers were very effective in listening to her granddaughter's side of the story and keeping everything calm. The citizen commented, "They did an excellent job. The way they treated my granddaughter was great!"

A citizen commended a 9-1-1 call taker for the positive interaction they had while initiating a call for service. The citizen commented, "She's amazing! She did a fabulous job working with me."

A detective received a letter from the family related to a recent homicide victim. The victim's family commended the officer for the compassion that was shown during this tragic ordeal. The family commented, "During the worst times of our lives, your decency, humanity and sense of urgency made it less horrible. It may not sound like something earth shattering, but to us it was!" The family further commented, "You made a difference in our lives when we really needed someone."