



## City of Eugene CIVILIAN REVIEW BOARD

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*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, October 10, 2017 - 5:30 p.m.**  
Atrium Building, 99 West 10<sup>th</sup> Avenue, Saul Room, 3<sup>rd</sup> Floor  
**Contact: Vicki Cox, 682-5016**  
*(A Light dinner will be available for board members beginning at 5:00 pm.)*

<b><u>ITEM</u></b>	<b><u>TIME (Starting)</u></b>
1. Agenda and Materials Review	5 minutes (5:30 pm)
2. Public Comment	5 minutes (5:35 pm)
3. Minutes Approval (Minutes from August 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. Election of Officers and Commission Liaisons	10 minutes (5:55 pm)
6. Training Topic: NACOLE Conference Report	20 minutes (6:05 pm)
7. Community Engagement Update	10 minutes (6:25 pm)
8. Break	10 minutes (6:35 pm)
9. Case Review: Review of Alleged Misuse of a Taser	30 minutes (6:45 pm)
10. Auditor Report	10 minutes (7:15 pm)
11. Adjourn – Next Meeting DATE CHANGE November 16, 2017	(7:25 pm)

## MINUTES

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

September 12, 2017  
5:30 p.m.

PRESENT: Chris Wig, Chair; Rick Roseta, Carolyn Williams, Jim Hargreaves, Civilian Review Board members; Leia Pitcher, Beatrice Hernandez, Police Auditor's Office; Larry Crompton, Jason Berth, Ron Tinseth, Eugene Police Department.

ABSENT: Steve McIntire, Maurice Denner, Heather Marek, Civilian Review Board members; Mark Gissiner, Police Auditor's Office.

Mr. Wig convened the Civilian Review Board (CRB) at 5:27 p.m.

### **1. AGENDA AND MATERIALS REVIEW**

No changes were suggested. Mr. Wig deemed the agenda approved by acclamation.

### **2. PUBLIC COMMENT**

No one present wished to provide public comment.

### **3. MINUTES APPROVAL — August 2017**

MOTION: Mr. Hargreaves, seconded by Mr. Roseta, moved to approve the August 2017 Civilian Review Board (CRB) Meeting minutes as presented. The motion carried, unanimously.

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

Mr. Wig noted that Steve McIntire and Heather Marek were excused from the meeting. Maurice Denner provided an update and feedback on the cases via email.

Mr. Denner and Mr. Wig participated in a community feedback session focused on attributes desired in a new police chief. Both the Police Commission and Human Rights Commission were involved. Mr. Wig reported that it went well, and he feels positive about the amount of outreach done by the City Manager's Office. Representatives have been approaching community organizations for input, and Mr. Wig believed it would build legitimacy for whoever selected.

Ms. Williams and Mr. Hargreaves did provide comment. Human Rights and the Police Commission did not meet in August so there was no report.

## 5. CASE REVIEW: REVIEW OF COMPLAINT REGARDING UNBECOMING CONDUCT

### Summary of Facts:

- Officer A was dispatched to a recovered stolen vehicle. Reporting Party was with the vehicle, and had been for several hours.
- Officer A contacted the RP, who had hooked the vehicle up to a tow truck. Officer A engaged in conversation with RP while he investigated the status of the vehicle.
- Officer A verified that the vehicle was stolen, and informed RP that the vehicle would have to be unhitched, per EPD policy. RP unhitched the vehicle and left.
- RP contacted dispatch and asked for a supervisor to contact her. When the supervisor returned the call, she complained about the length of time for the dispatch, as well as the tone and content of Officer A's conversation with her.
- The supervisor entered the complaint into BlueTeam, where our office reviewed it and classified it as an allegation of misconduct.

### Allegations:

1. **Unbecoming Conduct:** That, during a contact with the reporting party, Officer A made comments that reflected negatively on the Eugene Police Department and brought discredit upon himself and EPD.

### Recommended Adjudication:

1. Unbecoming Conduct
  - EPD chain of command: Sustained
  - Auditor's Office: Sustained
  - Chief: Sustained

### Issues for CRB Discussion:

- **Complaint Intake and Classification**
  - **Complaint intake performed by EPD supervisor**
  - **Classification: Allegation of Misconduct**

Mr. Roseta commented that the unbecoming conduct portion of code is a somewhat "garbage can" diagnosis. He said it appeared that if a behavior does not fit the other codes, it is thrown under unbecoming conduct. He wondered what the reasoning was behind the decision, and was not sure that what Officer A had said reflected poorly on him or the police department.

Ms. Pitcher responded there is a courtesy issue that is clear. Usually, in these cases, there is one specific statement phrase or word said. Ms. Pitcher explained in this case, it was a sustained pattern of behavior and it was during a professional instance. The RP works with EPD on a regular basis due to her position of employment and is expected to be treated differently by officers. Ms. Pitcher remarked that perhaps the officer felt overly familiar and therefore acted unprofessionally.

Ms. Williams said the case review and reporting was dealt with quickly which was good.

Mr. Wig shared Mr. Denner's comments. Mr. Denner said the property owner did not have opportunity to pick up the car, and instead a tow company spent hours there. He thought it was good that people trust the complaint process enough to do file one. He wondered why the complaint was called to EPD instead of the Police Auditor's office.

Ms. Pitcher responded that her office is the intake point for complaints, however, the Police Auditor's office feels it is appropriate for supervisors at EPD to intake complaints, especially when Ms. Pitcher's office is closed. If EPD intakes a complaint, she follows up with reporting party for further information if needed.

Mr. Wig asserted that the supervisor who took the complaint did a thorough job of gathering information to help support the case and further investigation.

- **Complaint Investigation and Monitoring**

Mr. Roseta said it was a thorough investigation. Mr. Wig said it was quick, thorough, and well written. The report included relevant information that was easily readable and compelling.

- **Relevant Department Policies and Practices**
  - **1101.1.B.25 Unbecoming Conduct**

Mr. Hargreaves returned to Mr. Roseta's earlier comment of the "garbage can" clause. He affirmed that often the clause serves a purpose. It can be misused, but it can also be used when something simply will not fit elsewhere in the Code of Conduct.

Ms. Williams said it is unclear whether there is a mandate regarding tow companies and preferred tow companies. Lieutenant B said it would be her preference to use rotation tow, but there was not a mandate.

Mr. Crompton said a rotation tow is ideal as to eliminate competition.

Mr. Wig said that even if EPD had to use a different tow company than the initial one called, the RP should have been told up front to avoid paying costs.

Mr. Hargreaves responded that for the RP to not know the process is a miscommunication because she works with the EPD in this capacity frequently.

Ms. Williams voiced that the RP was very detailed in her response.

Mr. Wig reported that Mr. Denner said the policy covers the actions of Officer A, and asked whether there is a policy for and officer to request an approved tow company.

Ms. Pitcher noted that the code of conduct is a policy the Police Auditor's office works with quite a bit. She explained that the unbecoming policy is one the office has taken issue with in its wording with for the past few years. The Police Commission has been working on revising the Code of Conduct, and hopefully those issues are being addressed.

- **Policy and/or Training Considerations**

Ms. Williams commented that Officer A seemed unsure of how to act in the situation. However, during the interview when he was faced with specific questions, he would answer "no" to certain actions being acceptable. She said more training may be beneficial.

Mr. Wig said that everyone bends the rules at times, but there is certain customer service piece in police work and one cannot say certain things, like Officer A did to RP.

Mr. Hargreaves brought up that it was not one expletive but multiple. He stated that it was offensive.

Mr. Denner wrote that Officer A can have a bad day but he cannot insult a business owner, and their family. He added that Officer A should have asked property owner if the vehicle could be released to property owner.

- **Adjudication Recommendations**

Mr. Rosetta believed it was up to the investigator to determine credibility issue based on RP and Officer A's responses.

Mr. Hargreaves said there is a credibility issue. RP submitted a specific complaint and provided many details, yet Officer A said he could not remember.

Mr. Wig responded that there was a witness with the same story, who said could not remember but he also did not deny the details.

Mr. Roseta said the witness could have the same biases but that decision is up to the investigator.

Ms. Williams agreed with Mr. Roseta.

Mr. Hargreaves said that the allegation was sustained, but asked if anyone follows up with the officer. Specifically, to discuss his attitude and moving forward in his position.

Mr. Wig said the Police Chief came before CRB to discuss disciplinary matrix and how EPD determines appropriate discipline. Mr. Wig asked Ms. Pitcher to explain further.

Ms. Pitcher responded that the Police Auditor is not allowed to review disciplinary actions and neither is CRB. She called this the official outcome. She explained that an unofficial outcome could be talking to the officer, and to a certain extent, since the supervisor delivers adjudication there could be many conversations regarding behavior during that time. Supervisors are not allowed to discuss internal affairs

(IA) but there have been times where complaints come in and the Union feels it needs to be discussed. Finally, one thing her office has been working on is an early warning system to help pinpoint officers who may be needing to talk to someone about personal issues. Mr. Tinseth reported that EPD has a system, but they do not use it. Mr. Tinseth said it is difficult to decide thresholds on monitoring personnel because there are many different methods.

Mr. Hargreaves responded that if the current system does not pay attention to personal issues, how can EPD pay attention and track behaviors? Mr. Tinseth responded that the officer receives discipline, and is reminded of EPD standards. Corrective actions include referring the officer to an employee support group. These groups are not mandatory, but the service is available.

Mr. Wig asked Ms. Pitcher for a reminder on why CRB cannot have input on discipline practices for EPD. Ms. Pitcher said there are a couple of different governing rules – one is a Collective Bargaining Protocols and the other is Oregon Public Records Law. EPD releases information to her office, but there are strict rules for what is received and personnel files are generally prohibited. However, EPD does release personnel files to help with case review. Because disciplinary records are treated differently than investigative records, that is where line gets drawn. There was no clear indication that the public wanted civilian input on disciplinary action. Mr. Hargreaves said he understood, but that his concerns of misconduct are not alleviated.

Mr. Denner wrote that the issues of misunderstanding of who could tow is disservice to tow companies and to the public. It cost money for the RP to call the first tow truck, who could then not receive a refund after Officer A called the second company.

## **6. BREAK**

The CRB took a break from 6:00 p.m. to 6:10 p.m.

## **7. CASE REVIEW: REVIEW OF COMPLAINT OF OFFICER DISCOURTESY**

Summary of Facts:

- Officers A, B, and C were dispatched to a disorderly subject described as “violent and aggressive.” Officer C was the primary officer. Officer B contacted the suspect and the Reporting Party (RP).
- Officer B later stated he was having trouble communicating with RP. Officer A arrived and contacted RP.
- RP later complained to the Auditor’s Office that Officer A repeatedly told him to “shut the f\*\*\* up” and that Officer A flipped him off when he left the scene.
- The investigation showed that Officer A used profanity repeatedly during his conversation with the RP.
- Officer A denied that he flipped off RP when leaving; in-car video (ICV) of the incident appeared to show him waving to a different group (but video quality was somewhat poor).

Allegations:

1. Courtesy: That Officer A spoke to the RP in a discourteous and unprofessional manner, using profane and insolent language.
2. Courtesy: That Officer A used a profane and insolent gesture directed toward RP as he drove away from the scene of their contact.

Recommended Adjudication:

1. Courtesy
  - EPD chain of command: Sustained
  - Auditor's Office: Concurred with EPD
  - Chief: Sustained
2. Courtesy
  - EPD chain of command: Unfounded
  - Auditor's Office: Concurred with EPD
  - Chief: Unfounded

Issues for CRB Discussion

- **Complaint Intake and Classification**
  - **Intake at Auditor's Office**
  - **Classification: Initially an inquiry, reclassified to Allegation of Misconduct**

Mr. Denner wrote that the misconduct allegation was appropriate for use of foul language, as well as for the second allegation of giving the finger and driving away from scene. Mr. Denner reported there have been additional complaints of harassment from RP and one time a complaint that the City of Eugene was attempting to force travelers out of town.

There were no additional comments.

- **Complaint Investigation and Monitoring**

Mr. Rosetta said the investigation was thorough. After evaluating the case, he had concerns on whether the allegations should be sustained or not.

Mr. Denner noted that RP didn't respond to repeated attempts to interview during the investigation.

Mr. Wig expressed it was commendable that in both cases, different reviewers were all writing thorough memos.

- **Relevant Department Policies and Practices**
  - 1101.1.B.7 Courtesy

Mr. Denner said the misconduct allegations are appropriate for the use of foul language and gesture. Office A concedes in IA interview that the language and inappropriate gesture are captured on audio/video. Officer A said he used his experience working with youth and used that type of language intentionally as an intervention. Mr. Wig said language can be a use of force, and

wondered if there is a time when that kind of language is appropriate to accomplish a tactical objective.

Ms. Pitcher said use of language as force has been an ongoing conversation and somewhat subjective. She explained that presence of police use is the lowest force. Language can be a force also, such as giving orders. There is one school of thought that certain people respond better when you use certain types of language and there is another school of thought that regardless of different types of people, police officers should not use language as force despite the different in reactions.

Mr. Tinseth is researching the issue and writing a document on how to handle certain situations such as foul language or disrespectful treatment. It will include the use of force and how it is handled because it is different than general contact. If it is approved by EPD, it will be a standard for how EPD handles profanity. He reported the police chief is not supportive of disrespectful language and believes that it makes EPD look unprofessional.

Ms. Pitcher added that there is a difference between calling someone a profane word, rather than using a profane word when giving an order. Mr. Tinseth noted it also is dependent on whether EPD discovers use of profanity internally, or a community member hears and is offended.

Mr. Rosetta said the recording and audio show the officer did start out rather mellow, but as time went on he became more aggressive. He used two profanities to someone who was acting out of control. Mr. Rosetta said use of profanity is situational at times.

Mr. Wig wondered if Officer A had said “sit down and shut up,” instead of a profanity, would CRB still be discussing the case. He expressed that the way and the force an officer uses behind words matters. He said that compliance is important for officer and public safety. Mr. Wig said that one interaction went right in the case when Officer C observed that maybe Officer A was not the right person to interact with the RP. Officer C removed Officer A from the situation and took over. Officer A acknowledged in interview that he may have taken the interaction personally.

- **Adjudication Recommendations**

Mr. Rosetta found the RP to be less than credible. RP said Officer A used f\*\*\* multiple times, but Mr. Rosetta only heard Officer A use the word once. RP also denied hitting a nearby windshield, and urged he was struck by vehicle, however there was not damage and there was also a witness discounting his allegation. Mr. Rosetta also pointed out that RP exhibits paranoia when he said he was being followed by City employees. Mr. Rosetta concluded by acknowledging Officer A used profanity, but also that the RP was out of touch with reality.

Mr. Hargreaves agreed that the individual could not maintain a normal set of controls and was having substantial issues. The credibility of what RP said, given information CRB has, is suspect. However, Officer A is being paid to uphold standards that were not met.

Ms. Williams agreed with Mr. Roseta and Mr. Hargreaves.



Ms. Pitcher said the video does not exhibit behavior that is expected of EPD.

Mr. Denner was struck by the casual description of the language used. He noted that Officer A used language with a noncompliant person in street. Mr. Denner alleged that use of those kinds of words are likely to continue a fight and likely to make RP more violent toward Officer A.

Mr. Wig agreed that Officer A described the situation much more casual than the video they saw. Mr. Wig said that RP could have committed a crime if he felt antagonized by Officer A.

## **8. TRAINING TOPIC: PUBLIC MEETINGS AND PUBLIC RECORDS**

Ms. Pitcher provided CRB a training document *City of Eugene Boards, Commissions & Committees Legal Overview 2017*. She introduced Ms. Lauren Summers, City Attorney who provided CRB with a PowerPoint presentation entitled: *Public Records and Public Meetings: What You Need to Know, City of Eugene Civilian Review Board, September 12, 2017*.

Ms. Summers PowerPoint Presentation covered the following topics:

- Oregon Public Records Law
- Oregon Public Meetings Law
- Public Meetings Law – Executive Sessions
- Tips for Running an Efficient and Effective Meeting

Ms. Summers said these topics apply specifically to government bodies, officials, and employees.

Ms. Summers explained that the Oregon Public Record Law is different than Freedom of Information Federal Act (FIFA) and it often does not come up in private sector.

Ms. Summers informed CRB that public meeting laws are focused on transparency, because the public should be able to see and understand decisions that government actors are making, and the documents that are used, created or kept by a government body. Government bodies must keep certain records for periods of time.

She explained that if someone requests a document from the City, in most cases they will be given the document; however, with CRB, there are exceptions. There is a lot of confidential information covered in CRB and members of CRB have confidentiality requirements. Information given to you when reviewing case histories is confidential. CRB members are never required to fulfill a public records requests. Those requests would go to Summers' office, who would then go through what can be released and what should be redacted.

Ms. Summers asserted that public record is most anything, including agendas, emails, maps, photographs, reports, and handwritten notes both in physical and digital form. Emails within CRB are public record because CRB members are using it in official capacity. Ms. Summers advocated that members either dedicate a specific file folder within their email account, or create a new free email account. She noted there is a possibility that if someone made a request, investigators would have to go through personal email if there was CRB related communication.

Ms. Summers said that CRB members must keep notes on cases in their notebooks which are returned to staff at the end of each meeting to retain.

Mr. Wig clarified that anything written as a CRB member are public records. Mr. Wig said he CC's staff, so that the email is flagged and kept as a record.

Ms. Summers moved on to Oregon Public Meeting Law. The Public Meetings Law is a transparency law and public access law, not a public participation law. It does not give people the right to participate, however, it does require they be allowed to view the decision making and deliberation process. It requires that decisions by governing bodies be made openly.

There are three big focuses for public meetings. There must be a quorum if a governing body of a public body meets to discuss public business; the law includes entire boards or commissions. Or a quorum of a committee tasked with making a recommendation back to the entire board or commission. If a quorum meets outside of official business and they are discussing public business, the public meeting law applies.

Ms. Summers explained that since the Oregon Public Meetings Law was created in the 1970s, the Law doesn't contemplate emails, chatting, Facebook, or social media. Although the statute does not specifically address those issues, Ms. Summers said it is okay to send information over email, but the closer there is to a quorum in an email, the more it looks like deliberation the public does not have access to. She cautioned against pressing "reply all" to emails.

Ms. Pitcher said that when she sends emails to CRB members she requests that members reply to only her.

Mr. Roseta asked if emailing is official misconduct, and wondered if so, who had been damaged. He wondered if four CRB members talked about something over email but did not reach a decision, and then decide based on that conversation, is that still official misconduct.

Ms. Summers explained a scenario from a few years prior that involved four Lane County Commissioners who were emailing and meeting in private about a budget issue, and were then found liable for official misconduct. Ms. Summers said that smaller meetings happen all the time, but the judge was saying don't take steps specifically to avoid having a discussion in front of the public when law requires transparency.

Ms. Summers briefly spoke about Executive Sessions. Ms. Summers said that CRB generally does not have Executive Sessions. Under very limited circumstances, boards and commissions may meet in private but the governing body must always come back to open session to decide. News media can stay in executive session, but may not report the session. They act as a check. Ms. Summers said one example is a letter from a City Attorney or a law suit against the City, as that is legal advice that is private. Real estate deals are also in private, as are performance review discussions for public employees. Ms. Summers said after Executive Sessions, to beware of "parking lot" conversation. For example, someone in a City Council Executive Session talks to the same reporter outside, and that information is no longer confidential.

Summers ended with tips for running effective and efficient meetings.

While discussing how to run a meeting, Ms. Pitcher mentioned CRB protocols. She said that CRB offers public comment, but not for case reviews as those can be very emotional and heated.

Mr. Wig said that he meets once a month with Ms. Pitcher and Mark Gissiner, Police Auditor to sort out the agenda and pick cases for CRB.

## **9. AUDITOR'S REPORT**

Ms. Pitcher reported that Mr. Gissiner is out of the office and she would present on his behalf. She shared that CRB will provide the annual report to City Council on September 13<sup>th</sup> at 12:00 p.m. She said that Mr. Denner is at National Association for Civilian Oversight of Law Enforcement (NACOLE).

Ms. Pitcher said that Mr. Gissiner was approached by the group working on police chief recruitment and was asked to take on more active role. As Mr. Wig said, the group is collecting public input. They have hired recruiter based out of Texas who has met with Union and various commissions. The recruiter is trying to get a good feel for community.

Ms. Pitcher said the focus for next month's meeting will be elections. Elections happen in annually in October.

Ms. Pitcher reflected that the past couple of weeks have been relatively quiet. There have been about the same number of complaints, but not an increase in misconduct complaints. Ms. Beatrice Hernandez will provide an update in October.

## **10. ADJOURN**

Mr. Wig adjourned the CRB meeting at 7:16 p.m.

*(Recorded by Marina Brassfield, LCOG)*

## Eugene Police Department

### September 2017 Closed Case Report

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Incident type: IA Investigation  
Status: Completed  
Received date: Mar 15, 2017  
Class/sub-class: Allegation of Misconduct / Performance  
Disposition: Sustained

Combined with another case.

The ECU Jail Locker Policy states that property may be disposed of after 61 days if the form was signed or 91 days if the form was not signed. Therefore, per policy, these items should have remained in the locker through the waiting period and should not been destroyed.

1101.1.B.9 Unsatisfactory Performance - It is alleged that a non-sworn employee failed to conform to standards established for their position and failed to take appropriate action when prisoner property lodged in the jail lockers was destroyed prior to the established waiting period.

Allegations:

Performance - 1101.1.B.9 Unsatisfactory Performance - Sustained

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Incident type: IA Investigation  
Status: Completed  
Received date: Apr 28, 2017  
Class/sub-class: Allegation of Criminal Conduct / Conformance to Laws  
Disposition: Unfounded

Investigation of a personal matter by an outside agency was found to be unfounded.

Allegations:

Conduct - 1101.1.B.5 Conformance to Laws - Unfounded

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Incident type: IA Investigation  
Status: Completed  
Received date: Jul 10, 2017  
Class/sub-class: Allegation of Misconduct / Performance  
Disposition: Sustained

1. 1101.1.B.9 Unsatisfactory Performance: It is alleged that a non-sworn employee destroyed evidence without ensuring the proper disposal review process had been followed.

2. 1101.1.B.9 Unsatisfactory Performance: It is alleged that a non-sworn employee destroyed evidence that was designated to be returned to the owner.

Allegations:

Performance - 1101.1.B.9 Unsatisfactory Performance - Sustained  
Performance - 1101.1.B.9 Unsatisfactory Performance - Sustained

3 incidents displayed.

## Eugene Police Department

### September 2017 Open Case Report

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

RP reported being pulled over by a motorcycle officer in a stop he described as sketchy and unfair. He was told he was swerving and speeding which he feels he was not doing. He feels the officer was just looking for a reason to pull him over which left him feeling disrespected.

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

RP reported an EPD mini SUV that violated the pedestrian in a crosswalk law when the officer failed to stop when he was already in the crosswalk. RP noted that a white car first went through the intersection after he had stepped off the curb and the police car following did the same, without citing the first car. The officer and his police rider did not appear to be on a call at the time.

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 5, 2017  
Class/sub-class: Inquiry  
Disposition: Dismissed-Other

RP inquired into an incident in which she had a small fender bender with another vehicle at a drive thru and the woman involved called a person to the incident who showed a card claiming to be EPD. The man seemed to help facilitate the information exchange, but RP is not sure if he was actually EPD. Responder was identified as an EPD officer.

Per Auditor: Dismissed: Other

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 6, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office frustrated with being unable to get a return call about his car theft.

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 6, 2017  
Class/sub-class: Service Complaint / Courtesy  
Disposition: Supervisor Review-Closed

Synopsis of Complaint:

RP who is in custody at the Lane County Jail reported to a Sergeant that when he was booked in the jail the booking officer(s) made statements about "dressing him in heels".

Per Auditor - Closed/Supervisor Reviewed.

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 6, 2017  
Class/sub-class: Policy Complaint  
Disposition: Supervisor Review-Closed

RP inquired into whether a police report regarding a court case in which perjury took place should have also been submitted to the DA's office and not just to the Circuit Court. The report is now sitting in a judge's in-box and RP's appeal time frame is rapidly closing.

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 6, 2017  
Disposition: Supervisor Review-Closed

RP reported an incident in which she had sat down on a city bench to have her coffee and smoke a cigarette and read for a few minutes before she went to work. She had noticed the no smoking sign, but decided to sit anyway. An officer approached and told her she could not do that, and then filled out a police contact card. RP is concerned that she now has a police contact on her record even though she did not receive a citation. She has seen much worse conduct happening downtown and nothing happens to them. She would like to know if the contact can be taken off her record.

Closed – no indication that any contact card was made or submitted.

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 6, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office about a call for service concerning his electric bike that had just been stolen. RP felt the call taker dragged her feet, asked so many questions, and put him on hold so many times that if someone had been dispatched immediately his bike could have been recovered.

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Incident type: Incident Review  
Status: Completed  
Received date: Sep 6, 2017  
Class/sub-class: Incident Review / Discrimination  
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office about an incident in which he feels he was profiled by an EPD officer. RP lives in Springfield and goes home for lunch each day. When he came out of his backyard after retrieving his key, he was met by 3 Springfield Officers and a canine. He was detained by them until a neighbor noticed and came and told the officers that he indeed lives there. When RP called Springfield about the incident he was told that an EPD officer had made the call. He was never approached by the Eugene officer and feels because he is black and was in the yard he was turned in. He was never told by the Springfield Officers why they were there.

Closed. It was determined that the EPD officer called dispatch and described the man as a "white male" seen near a mailbox.

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Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 7, 2017  
Class/sub-class: Inquiry  
Disposition: Supervisor Review-Closed

RP complained that proper charges were not lodged against an arrested individual.

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Incident type: Supervisor Action  
Status: Active  
Received date: Sep 8, 2017  
Class/sub-class: Inquiry  
Disposition:

RP filed a complaint alleging that an EPD officer who was looking for a suspect near her home, patronized and insulted her son after he helped him and a fellow officer by allowing access to their backyard to look for the suspect. The officer questioned her son about whether or not he was a drug dealer, number of cars he had and then shined his light into the garage and questioned the son about some of the belongings. RP is also upset that the officer may have made the statements and asked the questions because of the color of their skin.

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

RP contacted the Auditor's Office because he has not been able to get an officer to return his call about his case in which his wallet was stolen from University District hospital.

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Incident type: Supervisor Action  
Status: Active  
Received date: Sep 11, 2017  
Class/sub-class: Inquiry  
Disposition:

RP inquired into a traffic stop his son was involved in.

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Incident type: IA Investigation  
Status: Active  
Received date: Sep 11, 2017  
Class/sub-class: Allegation of Misconduct / Conduct  
Disposition:

RP reported an incident in another city in which an off duty EPD Officer approached the vehicle in which he, his fiancée and her mother were driving, pounding on the window, shouting and cursing that they cut him off and he was a Eugene cop.

1101.1.B.25 Unbecoming Conduct - It is alleged that an officer was involved in an off duty incident wherein he identified himself as a Eugene Police Officer and conducted himself in a manner 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

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 12, 2017  
Class/sub-class: Policy Complaint  
Disposition:

RP called the Auditor's office with a concern about calls for service placed about a man trespassing on private property. RP is wondering if these calls have been handled properly or is seeking understanding about OR laws or EPD policy that would keep law enforcement from dispatching for this trespass issue.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 13, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition:

RP contacted the Auditor's Office with a concern that the officer in charge of her case had not forwarded her case to the DA's office even though she provided information and evidence to him over 3 weeks ago.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 13, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition:

RP filed a complaint concerned about how a call for service about the fraudulent use of her husband's Walmart.com account was handled by EPD.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 14, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition:

RP contacted the Auditor's Office upset that officers who responded to her call for service about her ex-husband breaking into her home did not file breaking and entering charges nor trespassing charges.

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Incident type: Supervisor Action  
Status: Active  
Received date: Sep 14, 2017  
Class/sub-class: Policy Complaint  
Disposition:

RP complained about lack of traffic enforcement on Echo Hollow Road.

---

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

RP complained that when he went to an officer's home to serve a defense subpoena out of Salem, the officer said he would arrest him if he ever came on his property again.

---

Incident type: Supervisor Action



Status: Completed  
Received date: Sep 15, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition: Dismissed-EE Not Identified

Anonymous reported an officer who jumped the light just as it turned, make a left turn cutting him and a pedestrian off.

Per Auditor - Dismissed - Employee Unidentifiable.

---

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

RP stopped by the Auditor's Office with a concern about a call for service he placed as a welfare check on his two children. RP was notified by the school that his children had an unexcused absence and he was unable to get his ex-wife on the phone, RP place a call for a welfare check. RP asked not to be identified but he believes he was.

---

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

RP had an EPD incident that was a he said/she said situation that he believes was not true. RP feels the police just decided to make a public record of something that isn't. He would like to understand why this incident that was false is now a public record with his name attached.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 15, 2017  
Class/sub-class: Policy Complaint  
Disposition:

RP filed a complaint alleging that EPD would not take a report from a woman about abuse and neglect of a senior citizen due to her short-term memory issues.

---

Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 17, 2017  
Class/sub-class: Service Complaint / Use of Force  
Disposition: Supervisor Review-Closed

RP complained about an officer pushing her away as he was trying to arrest another person.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 21, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition:

RP reported an EPD patrol vehicle driven by a female officer driving dangerously close to the car in front of it. The officer had to repeatedly tap the brakes because of following so close.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 21, 2017  
Class/sub-class: Service Complaint / Performance  
Disposition:

RP reported and EPD officer texting on a cell phone while driving a vehicle, RP understands that officer may use their phones in the line of duty, but this did not appear to be what the officer was doing as he did appear to be going to a call or on a call.

---

Incident type: Supervisor Action  
Status: Completed  
Received date: Sep 25, 2017  
Disposition: Dismissed-o/s jurisdiction

RP filed an on line complaint about an issue in Sandy OR.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 27, 2017  
Class/sub-class: Inquiry  
Disposition:

RP reported an incident in which her son Andrew was sitting on the Riverbank behind the Campbell Center in an area where they had spread her younger son's ashes. An EPD officer drove his car down the gravel ramp and rudely questioned him about being in the area, all the while his hand was resting on his holster, even though he was just quietly sitting. The officer claimed there was a lot of crime in the vicinity.

---

Incident type: Supervisor Action  
Status: Active  
Received date: Sep 27, 2017  
Class/sub-class: Policy Complaint  
Disposition:

RP reported an EPD officer on his cell phone while driving a couple of miles, which seems excessive for police business while driving.

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Incident type: Supervisor Action  
Status: Active  
Received date: Sep 27, 2017  
Class/sub-class: Policy Complaint  
Disposition:

An anonymous woman reported an incident in which she felt she was humiliated by EPD employees in the way they responded to her call for service for a Cahoots call. The call-taker explained that officers had to secure the area, but the response called attention to her and the situation, Cahoots never responded.

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Incident type: Supervisor Action  
Status: Active  
Received date: Sep 28, 2017  
Disposition:

RP has called continuously about a noise issue with her neighbor, nothing has been done.

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Incident type: Supervisor Action

Status: Active

Received date: Sep 28, 2017

Class/sub-class: Service Complaint / Performance

Disposition:

RP reported in incident in which 5 different police vehicles sped down Barger at a high rate of speed just at dusk.

## **Police Commendations**

**The Eugene Police Department received 25 commendations from citizens in August, 2017 and 13 commendations from citizens in September, 2017.**

**The link below will access a summary of those commendations:**

<https://www.eugene-or.gov/2763/Commendations>