



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, April 10, 2018 - 5:30 p.m.
Bascom Room, Eugene Public Library
100 West 10th Avenue
Contact: Vicki Cox, 682-5016

<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 February 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. Training Topic: Community Caretaking	30 minutes (5:55 pm)
6. Break	10 minutes (6:25 pm)
7. Case Reviews: Incident Reviews and Inquiries	50 minutes (6:35 pm)
8. Auditor Report	15 minutes (7:25 pm)
9. Adjourn – Next Meeting May 8, 2018	(7:40 pm)

MINUTES

Civilian Review Board
Bascom Room, Eugene Public Library
100 West 10th Avenue

March 13, 2018
5:30 p.m.

PRESENT: Chris Wig, Chair; Maurice Denner, Vice Chair; Rick Roseta, Steve McIntire, Carolyn Williams, Jim Hargreaves, Heather Marek, Civilian Review Board members; Leia Pitcher, Beatriz Hernandez, Vicki Cox, Police Auditor's Office.

ABSENT: Mark Gissiner, Police Auditor's Office.

Mr. Denner convened the Civilian Review Board (CRB) at 5:32 p.m.

1. AGENDA AND MATERIALS REVIEW

Mr. Denner deemed the agenda approved by acclamation.

2. PUBLIC COMMENT

Mr. Denner declared there was no public comment.

Sean Shivers, from Police Commission (PC) said CRB sent a representative to PC meetings, so he thought a representative from PC should be at CRB; that way, Mr. McIntire did not have to report on both.

3. MINUTES APPROVAL – FEBRUARY 2018

Mr. McIntire had two corrections to the minutes. The first was on page 6, in the first full paragraph, in the third sentence. The sentence should read, "Officer A told EPD in the interview that he did not identify himself as a police officer while banging on the subject's window, but while in parking lot speaking with Springfield police officers, Officer A did indicate he was a police officer while banging on the window."

The second correction was on page 10 in the third paragraph. Mr. McIntire had said "**other claim**" instead of "counter claim."

Ms. Marek said on page 7 the sentence should read, "Ms. Marek said it was good to have a strong working relationship with IA, but she was also concerned that having police officers investigate complaints instead of the auditor would deter community members from reporting, such as those who were undocumented."

Mr. Denner said on page 1, he referenced to the acting chief of police. The correct title was "**acting director**" instead of "acting chief." On page 7, under complaint investigation, he made reference to

the document on a USB drive, in response to a statement by Mr. Roseta. Mr. Denner clarified the USB drive was “**redacted**” instead of “omitted.”

Mr. Denner declared the minutes approved as corrected, by acclamation.

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

Mr. McIntire apologized, as he had not been able to attend the recent PC meeting. In response to Mr. Shivers, Mr. McIntire said he is an appointed member of both CRB and PC, so he did not mind pulling double duty.

Ms. Pitcher was at PC and reported they spoke about professional stops program. Lt. Ron Tinseth provided an update at PC, and she told him CRB may want a presentation, as well. She said outreach efforts around director recruitment were also discussed, but it was a short meeting. Ms. Pitcher said the update could be on agenda next month if there was interest. Mr. Denner thought it would be a valuable training.

Ms. Marek commented there was a good presentation on the outreach event in December 2017. She thought as a board, they generally wanted to think about how they could be a resource to community, especially to those in marginalized communities that may not see police as a resource as much other community members did. Ms. Marek explained Oregon Sanctuary Law prevented using resources for enforcing immigration law, and had been important in making police a public safety resource to folks. If police become immigration enforcers, it creates a barrier to access. Ms. Marek explained there was a group Oregonians for Immigration Reform were working to get a measure on ballot to repeal the law. It was important for the public and board members to understand; she felt it would be a bad direction for the state, and wanted to highlight that to CRB.

Mr. Denner referenced a complaint on page 14 of the agenda packet. He explained that on February 7, 2018 a grandmother reported she, and her daughter, had tried unsuccessfully to report that her grandson had drugs in the house and had hidden them. No one could respond to the complaint, likely because no one was available. Mr. Denner was struck by the fact that the case was one of the elements the school considered when bringing on school resource officers in the early 2000s. They would be available to the schools in order to address some of these issues. He recalled there was an agreement in the 1990s that they would not allow drug and alcohol cases discovered by law enforcement to go without a response, and there would be some sort of follow up with the county and the school. Mr. Denner noted neither the schools nor EPD had the staff. He wondered if it was possibly a question to pose to PC. He thought if EPD had cases and could not handle them, it sent a distorted message to kids.

Mr. McIntire said EPD was likely prioritizing availability of resources when not responding to the grandmother’s call. He wondered if Mr. Denner was suggesting a school resource officer talk with the kid. Mr. Denner said yes, then dispatch could at least tell the caller a resource officer was assigned to the kid’s high school. Mr. Hargreaves asked if in fact the officer was in fact a resource; he was unfamiliar with what exactly was expected of a school resource officer. Mr. Denner said when he left the district, it

was a complaint they would have responded to. As a middle school administrator, he could call the officer and ask them to come and talk to the kid. Ms. Williams said from her observation that process still happened. Ms. Marek said while drugs and alcohol were no joke, especially for youth, school resource officers can be fairly controversial if they are seen as criminalizing youth. She stated that young people of color tend to be charged more for crimes where school resource officers are present. Ms. Marek wondered if there were ways to address behavior issues, other than involving police. Mr. McIntire said in the case at question, the family members reported the incident, race was not involved. Ms. Marek said it may not always have an impact but those patterns had been observed. Mr. Denner said he was advocate for getting officers involved in schools. He came from community where there was tight relationship between the two entities and the purpose was to keep kids safe, but he heard what Ms. Marek was saying.

5. TRAINING TOPIC: EPD CODE OF CONDUCT STATUS

Sergeant Kyle Williams introduced the code of conduct, and walked CRB what he had been working on. Sgt. Williams explained he'd been in his policy position for two years. When he entered the position there was a draft code of conduct. He kicked off what had been a long, continuous process to do a review and a thorough revamp of the code. The process began with meetings between himself, his captain, and other EPD supervisors. Before providing the draft to PC, Sgt. Williams provided it to the Eugene Police Employees' Association (EPEA) executive board for review. The EPEA president met with Sgt. Williams for a total of six hours to hear EPEA concerns. He said every bit of process looked at how to make the code more thorough and more usable, without being overly cumbersome and burdensome. Sgt. Williams noted it was an interesting balance of flexibility and detail.

Sgt. Williams and Mr. McIntire went through the document together, as well. Mr. McIntire added a lot of specificity and provided Sgt. Williams with many pages of feedback. Sgt. Williams said PC spent four sessions over the summer of 2017 reviewing the code of conduct. Now, review was at the senior staff level; it was a topic that brought out a lot of opinion and discussion. EPD was about half way through with senior staff review. The next level of review would be returning the document to the union and the department for review. After the union and department review, the document returned to senior staff and chief for final review and approval. He was not sure how much longer it would take to finalize it. Sgt. Williams hoped by the end of the process, the document could stand for the next 15 to 20 years without many adjustments. He was trying to be super critical, because it was one of the most important policies EPD has in the way it affects the community and police officer morale.

Mr. Hargreaves asked what the final step was in the approval process. After all the initial processes, Sgt. Williams would write a command directive about the policies, and then the Chief would approve the code once he felt comfortable with the document. He said often times he made minor changes to policies, explained the changes to his lieutenant, the chief approved them, and EPD moved forward with the policy.

Mr. Denner asked if Sgt. Williams was using Lexipol at all for code updates. Sgt. Williams responded EPD mostly wrote its own policy. Lexipol was a little difficult to use as a resource, because the policies listed could never be cut and pasted, they needed to be customized. EPD had conversations around whether to continue its relationship with Lexipol, but for now still had Lexipol as a resource. He

explained if there was a new policy or an area he questioned, he would go into Lexipol and check their recommended best practices. For example, Sgt. Williams recently pulled language about a pursuit policy.

In response to a question from Mr. Denner, Sgt. Williams said Lexipol was an organization that wrote recommended policies for police agencies that were state specific. The company took into account each states' specific rules and regulations when writing recommendations.

Mr. Denner said some people thought EPD could pull all policies from Lexipol, as to save staff time. He noted the difficulty was the process lost a personal touch. It was important to take time to sit down with the union, command staff, and the community. Ms. Pitcher agreed. Ms. Pitcher said PC meticulously reviews policies, often word by word, and that that community input is likely unique among Lexipol clients..

Ms. Marek asked how Sgt. Williams would characterize feedback from the union. She wondered what types of changes they recommended. Sgt. Williams did not receive much specific direction from union, but received more from individuals. As for the code of conduct, everything he received from the union was reasonable, well thought out and fair for employees as well as the organization.

Mr. McIntire said the code was very substantive and complicated. He hoped there would be buy in from everyone, and hoped Sgt. Williams would complete the process before moving onto a different assignment. He said Sgt. Williams did a very nice job on his approach; Mr. McIntire hoped the document did not go through any material changes since the last time PC saw it.

Ms. Pitcher asked if Sgt. Williams planned to show PC the final project. Sgt. Williams responded yes, once it was at a more finalized draft. Mr. Denner asked Mr. McIntire if he thought the revisions would have clarified some of the cases reviewed by CRB in the past couple of months. Mr. McIntire said some sections were overly complicated and ambiguous; those areas had been clarified. Sgt. Williams saw three to five sections being cited as "catchall areas." A goal was to split those sections out to provide more clarity.

6. BREAK

CRB took a break from 6:08 p.m. until 6:21 p.m. Mr. Wig arrived at 6:18 p.m.

Mr. Wig reported he was able to participate in a community panel for the EPD chief selection process. He explained there were four tables about internal relations, external relations, homelessness, and racial issues. Mr. Wig was on the table representing Homelessness, which also included diversionary programs, substance abuse programs, and CAHOOTs. He said participants were asked to rank applicants on four criteria including theory of policing, relationships in community, relationships in the department, and work experience. Mr. Wig reported all three applicants had a strong understanding of 21st century policing initiative started by President Obama. He thought whoever the City Manager chose would be someone reflective of values of the community.

Mr. Hargreaves asked about the timeline. Mr. Wig said applicants were there on Monday, March 12, 2018 and would be there until Wednesday, March 14, 2018. Jon Ruiz, City Manager, would make the decision next week.

7. CASE REVIEW: ALLEGATION OF UNSATISFACTORY PERFORMANCE DURING A WELFARE CHECK

Ms. Pitcher presented a PowerPoint on the case reviewed.

1. Summary of Facts

- Officer A was dispatched to a welfare check of a person living in a garage. The witness reported that the person was not answering his phone, had previously expressed concerns about the other residents at the location, and that the other residents had left the location when they learned police were responding.
- Officer A looked through a pedestrian door leading to the garage. He saw a plastic swimming pool wrapped with bindings on top of a hand truck. He did not examine the pool, and briefly looked around the ground floor of the residence before clearing the scene.
- Three days later, EPD responded after a murder victim was found by a family member. The victim was found wrapped in the swimming pool. The investigation showed that the victim had been there during Officer A's welfare check.
- This complaint was internally reported, and the investigation was suspended until the homicide case was closed.
- Officer A stated in his interview that he felt he took necessary steps to conduct a welfare check, and that he had received no information that led him to believe there was a violent crime at the scene.

2. Allegations

- **Unsatisfactory Performance:** Officer A failed to take appropriate action when he was dispatched to this welfare check.

3. Adjudication

- Unsatisfactory Performance
 - Auditor's Office recommendation: Sustained
 - EPD chain of command recommendation: Sustained
 - Interim Director: Sustained

4. Issues for CRB Discussion

- Complaint Intake and Classification
 - Internally reported
 - Classification: Allegation of Misconduct

Mr. McIntire wondered about the timeline of the complaint. Mr. Pitcher said the complaint was submitted internally, and the matter was discussed with employee as soon as it was discovered (even though the internal investigation was suspended pending the outcome of the related criminal investigation). It was made clear to the employee that a higher degree of thoroughness during welfare checks was expected.

Ms. Marek agreed with the classification. Mr. Denner was relieved to hear the matter was addressed promptly. Mr. Wig clarified the incident happened, and EPD then put the internal investigation on hold, pending the outcome of the homicide investigation. He asked why. Ms. Pitcher explained by conducting a homicide and internal investigation simultaneously, EPD was concerned talking to witnesses repeatedly about the officer's performance would muddy waters for the criminal investigation. She said in this case, there were many discussions about the issue but everyone agreed that as long as officer was talked to and expectations were made clear, the IA could wait. Mr. Hargreaves suggested an additional concern could be the officer's performance would be cited by the defense at trial. Mr. Wig pointed out the officer was negligent after death. Mr. Hargreaves said the defense could still use the poor performance to their advantage.

Mr. Roseta noted the officer agreed he did not do his best the job, and his supervisor likely told him that, too; he probably would not make the same mistake again. Mr. Roseta was unsure why CRB was going through the exercise if no damage was done to the community at large. Ms. Pitcher said an argument could be made that if the same level of performance continued, it could affect the community. She said the question was what was the purpose of corrective action. The department could not take impose corrective action without an investigation and due process. The department thought they might want additional corrective action rather than just coaching, and that was where CRB came in. Mr. Roseta asked about the charge of unsatisfactory performance. It said the officer "failed to take appropriate action when he was dispatched to the address." Mr. Roseta wondered if that meant perfection, or what type of standard. Ms. Pitcher said as best as one reasonably can. Mr. Roseta said the officer had to do a welfare check, but if there was nothing there that indicated a living person in jeopardy, he wouldn't have thought there was a reason to investigate further; seeing a pool wrapped in the garage easily could have been just be a pool. Mr. Hargreaves said there was a bigger issue than the body; he was concerned about everyone upstairs. He thought the officer did a cursory job. Mr. Roseta said called to check on the person living in the garage. Mr. Hargreaves said that wasn't the way the call was dispatched.

Ms. Williams agreed with the classification, but agreed with Mr. Roseta that it was surprising the case made it to CRB. Ms. Williams understood the caller made a report because of something his boss said, and he then saw people leave the house which made him want to call police. She said he hadn't heard from the resident; however, there was some confusion over whether the owner of house had heard from him that day (she had not). Ms. Williams said the discussion had a lot to do with hind sight. Looking back, there were a lot of red flags; but when looking at the picture the officer took of the pool from where he saw it, the pool did not look like a body. Ms. Williams noted from other views, it did look like a body.

Ms. Marek clarified that the supervising sergeant said the adjudication was not based on the pool and the body. That sergeant took issue that Officer A did not follow procedures they were taught with how to do a welfare check. Mr. Denner wondered what teams were told about welfare checks. Sgt. Jason Berreth said it was a case by case basis on what the officer was looking for. Sgt. Berreth would have expected a walk through the house. He noted it would not have changed the outcome, but those standards were what he would have expected.

Mr. Hargreaves said the supervising sergeant reported that based on Officer A's response, it was not unreasonable for him to miss the body, therefore Mr. Hargreaves tried to look at the case in a broader

perspective. Mr. Hargreaves noted only looking at the first floor wasn't sufficient. Ms. Williams added it was clear the victim was living in the garage, so she was unsure if it was important to look in the whole building. Mr. Denner said it would have been more important to look at the whole house had the officer arriving on the scene asked the RP why they called and listened to the series of circumstances, including a side accusation of child welfare raised with the call-taker. It did not appear that discussion happened upon arrival, and it seemed that was where the inadequacy began.

- Investigation and Monitoring
 - Investigation suspended during criminal investigation and prosecution

Ms. Marek said after the fact, the witness said in interviews there were additional facts the officer may or may not have known about, such as the telephone call. She said an interview with the person who had that telephone call would have been helpful to clarify whether those facts were present. It could illustrate what Officer A did or did not know.

Mr. Wig thought the investigation was done well, especially since it was done after a significant amount of time had passed. Ms. Williams was impressed with the speed of the investigation. Mr. McIntire emphasized the interviewer asked Officer A strong questions.

- Relevant Department Policies and Practices
 - •1101.1.B.9 Unsatisfactory Performance

Mr. Denner said thoroughness coaching was needed, but he was glad to hear there was some debrief closer to the incident than the final adjudication. Mr. Roseta agreed, and he was not sure there was much other choice.

Mr. McIntire wondered if there was a welfare check policy or a command directive. He was told it was not. Mr. McIntire wondered if it was included in a training then. Mr. Wig asked how officers knew the standard for a welfare check. Mr. McIntire thought it seemed vague. Lieutenant Angie San Miguel said welfare checks were very common; sometimes officers were checking on elderly or children, so the expectation was to get information by talking to neighbors, look in windows, and check for mail for example. It was not a once in a while event, which was why she thought it was reported by internal person who thought the check was not up to par. Sgt. Williams added that welfare checks were just investigations, and officers were trained to investigate. Mr. Hargreaves said it was a reminder for all officers that it could be easy to fall into a routine that was not serving them. Mr. Roseta said on other hand, if things at the house looked okay but the officer spent a long time there, there could be a situation the officer was needed in somewhere else. Mr. Roseta added, however, that the officer acknowledged he did not check thoroughly enough.

Mr. McIntire said it was an issue that the officer said he was not trained to do anything differently for a welfare call. He thought that was worthy of exploring. Ms. Williams said brought up a question of the second officer showing up. She wondered why he took Officer A's word that the situation was fine, knowing Officer A had been there only for seven minutes. Mr. Hargreaves wondered what the second officer was for; he was told it was for safety if a problem arose. Ms. Marek inferred from Mr. Malone's statement that there was some sort of checklist for a welfare check, or some sort of procedure; but it sounded like in reality, it was based on judgement. Sgt. Berreth said yes, it was hard to be specific because each occasion was different, it was based on what seemed most reasonable.

- **Policy and/or Training Considerations**

Mr. Denner said it was a matter of thoroughness. He said not checking upstairs and not looking in the other two rooms on the first floor was poor judgment. Mr. Denner added one of the residents did not answer the door and was actually asleep inside the room. He wondered if there was an officer safety question in the case; clearly, this time nothing happened, but by not being more thorough Officer A could have put himself in a vulnerable position around people who were capable of significant violence. He thought the lack of thoroughness by Officer A was concerning. Mr. Wig asked if Officer A would have been trained on welfare checks and investigations at the Department of Public Safety Standards and Trainings (DPSST). Lt. San Miguel said yes, at the regional academy. They would be assigned a training officer who was with the officer in training for four months. Mr. Wig clarified it was not really a training consideration, it was more adhering to the training that Officer A had already received. He thought Officer A needed a refresher. Ms. Williams thought fact she herself could see why he did not go upstairs made it obvious that a clearer process was needed for welfare checks. Mr. McIntire reiterated it depended on the situation, and EPD did not need a policy for every single outcome.

- **Adjudication Recommendations**

CRB members were satisfied with the adjudication.

- **Additional Comments/Concerns**

Mr. Roseta said in hind sight situations were always 20/20, but he was glad there was concern around the incident other than just finding the body. But in terms of body itself, he said looking at the photos after knowing the body was there, it was obvious – however, he looked at pictures before knowing the case and it was not obvious. Ms. Williams echoed Mr. Roseta.

Mr. McIntire said the situation worked out okay, but it could have been different. Ms. Marek said the fact it ended well did not negate the seriousness of it. If she was in a situation where she needed a welfare check and was expecting officers to come find her, she would want more thoroughness. Ms. Marek remembered there was a case previously, about a year and a half ago, concerning welfare check, and she was concerned about the officer's conduct reaching unreasonable search; she realized there was a balance in checking safety and respecting privacy while also being thorough. It was a difficult balance.

Mr. Denner thought Ms. Marek made a good point about balance. Mr. Denner thought he understood the legal issues raised, in terms of pushing the case forward, but he also thought in way got in way of doing good police work. He hoped there was good discussion between Police Auditor and IA in how cases went forward.

8. AUDITOR REPORT

Ms. Pitcher presented on behalf of Mr. Gissiner. Mr. Gissiner met with chief candidates yesterday and was able to give feedback to the City Manager. She thought it would be an interesting couple of weeks watching how the Chief hiring process would work out.

Ms. Pitcher said she and Ms. Hernandez were teaming up to work on the Auditor's Office Annual Report. Mr. Denner asked if in the annual report they could include a measure of the gap of time between allegations made and adjudications made, particularly in felony cases. Ms. Pitcher said in previous reports, that data had been included in the appendices. Mr. Hargreaves asked Ms. Pitcher to do the median rather than the average for those statistics. Ms. Pitcher agreed.

Ms. Pitcher reminded CRB applications for members closed March 31, 2018.

9. ADJORN

Mr. Wig adjourned the CRB meeting at 7:06 p.m.

(Recorded by Marina Brassfield, LCOG)

Eugene Police Department

March 2018 Open Case Report

Incident type: Supervisor Action
Status: Completed
Received date: Mar 1, 2018
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP reported an incident where an officer cut him off, and moved 2 lanes over with no blinker or warning. Another officer in a second patrol car, then slammed on their brakes turned on their lights because it couldn't get between him and the car in front of him. It was a very unsafe maneuver. Neither officer appeared to be on a call, until later in the parking lot where RP requested the officer's name.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 2, 2018
Class/sub-class: Inquiry /
Disposition: Supervisor Review-Closed

Two officers arrested the RP for active arrest warrants. While placing the RP into handcuffs, the pointed tip of the handcuff dug into the RP's right wrist, contacting a partially healed wound. The officer said he may have inadvertently hit the wound with the pointed end of the handcuff. The scab did not break.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 2, 2018
Class/sub-class: Inquiry /
Disposition: Supervisor Review-Closed

Officers were dispatched to a hit and run crash at the location. Upon arrival they found that a male passenger had been transported due to suffering from a seizure. The driver of the victim vehicle advised that the RP had a seizure history and they were induced by stress. An officer was directed to do a crash report.

Close per Auditor. Handled by supervisor.

Incident type: Supervisor Action
Status: Active
Received date: Mar 2, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RP contacted the Auditor's Office frustrated with the instructions she received from records on obtaining a police report in which she was an assault victim about 6 months ago.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 6, 2018
Disposition: Supervisor Review-Closed

RP reported an incident in which officers (one male who spoke Spanish and one female) came to her

apartment looking for her adult daughter. When she went to EPD with an English speaking friend, they told her they had no record of anyone coming to that address and they couldn't help her unless she had the name of an officer. RP is trying to find out why officers came to her door.

Incident type: Supervisor Action
Status: Active
Received date: Mar 7, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RP contacted the Auditor's Office about an interaction she and her husband had with an officer when they were witnesses to a car accident caused by a vehicle that did not stop. They had flagged down that driver and waited with him for police, the motorcycle officer was unengaged and didn't seem to care about the incident, almost seeming to not know what he was doing.

Incident type: Supervisor Action
Status: Active
Received date: Mar 7, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RP contacted the Auditor's Office about trying to get information about the death investigation of the suicide of a relative.

Incident type: Supervisor Action
IA No: IA18-065 Status: Active
Received date: Mar 11, 2018 Received time:
Occurred date: Mar 3, 2018 Occurred time: 23:00
Class/sub-class: Service Complaint / Discrimination

Disposition:

RP was custody for a violation of court order. During her time with the officer the RP alleged that the officer a thorough investigation due to her race.

She also stated that people had broken into her RV and stolen items from inside. She stated that the officer had not conducted an investigation regarding this matter.

Incident type: Supervisor Action
Status: Active
Received date: Mar 12, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RPs reported an incident in which they called for service after a traffic dispute ended up in the Fred Meyer parking lot and one of the RPs being kicked in the privates and knocked to the ground. The other party then left the scene. Both RP's are deaf and are unhappy that the officers who responded did not accommodate their hearing impairment by getting a deaf interpreter, instead requiring them to write everything back and forth.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 12, 2018
Class/sub-class: Policy Complaint /
Disposition: Supervisor Review-Closed

Robert Hicks reported being cited for prohibitive camping and his vehicle and camper towed when he

parked near the Washington, Jefferson Park for a short time to do business at the Sheriff's Office. RP said he was not in the vehicle, nor was he sleeping or camping there and his vehicle should not have been towed.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 13, 2018
Class/sub-class: Service Complaint / Courtesy
Disposition: Supervisor Review-Closed

A CSO contacted a male and female at a school for having their dog off leash. The employee gave a verbal warning to couple for dog at large, and no dog license, warned them of the potential fine for the offenses, and gave the couple a leash to use to walk home. The RPs were upset about the way the officer talked to them and that the officer did not use gender neutral language when he wrote the warning.

Incident type: Supervisor Action
Status: Active
Received date: Mar 13, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RP called with a few concerns about the death investigation of the man found in Amazon Creek.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 13, 2018
Class/sub-class: Service Complaint / Courtesy
Disposition: Supervisor Review-Closed

RP called to report an incident in which he was stopped and cited on his bike for not coming to a complete stop. The officer proceeded to yell at him on how irresponsible it was for bike riders to not wear a helmet and then went on a tirade about how bike riders should have to have insurance the same way cars do.

Incident type: Supervisor Action
IA No: IA18-071 Status: Active
Received date: Mar 14, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an incident in which he was leaving the Valley River Area and an officer pulled in behind him, activated his lights and when RP pulled over on the shoulder of 126 the officer stayed behind him for a few moments and then took off. The officer proceed to travel to the campus area, using lights, speeding and no turn signals, at one point almost causing a wreck. RP did not see that the officer was responding to an emergency. RP followed to get the plate number.

Incident type: Incident Review
Status: Completed
Received date: Mar 14, 2018
Class/sub-class: Incident Review / Use of Force
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office with the complaint that officers used excessive force on her and her boyfriend during an arrest in which they were not told why they were being detained. RP explained that they were beaten, physically hog tied, and taken to jail. RP said her pinkie was broken and her knee roughed up. Body worn camera footage was not consistent with allegations made by the complainants.

Incident type: Incident Review

Status: Active

Received date: Mar 14, 2018

Occurred date: Mar 12, 2018

Occurred time: 11:30

Class/sub-class: Incident Review / Performance

Disposition:

Another agency supervisor alleged that when their agency person stopped someone for DUII in Eugene, the EPD officer was not helpful conducting the investigation.

Incident type: Supervisor Action

Status: Completed

Received date: Mar 16, 2018

Class/sub-class: Service Complaint / Courtesy

Disposition: Dismissed-Other

RP stopped by the Auditor's Office to report an incident in which her vehicle was towed as well as the camper of her friend.

Per Auditor - Dismissed/Other. Reviewed by IA and found that the officer followed policy.

Incident type: Supervisor Action

Status: Active

Received date: Mar 20, 2018

Class/sub-class: Policy Complaint /

Disposition:

RP contacted the Auditor's Office with a concern about the armed robberies that have been taking place near the campus area. RP lives in the area of 18th Avenue and has not seen any increased police activity or patrols in the area. He would like to request that more be done about the situation as it seems to be getting worse.

Incident type: Supervisor Action

Status: Completed

Received date: Mar 20, 2018

Class/sub-class: Service Complaint / Courtesy

Disposition: Dismissed-Other

RP stopped by the Auditor's Office after learning from community court that the Sgt. on the downtown team reports his contacts with police to the court.

Dismiss - no policy violation.

Incident type: Supervisor Action

Status: Active

Received date: Mar 20, 2018

Class/sub-class: Service Complaint / Courtesy

Disposition:

RP reported being humiliated by TSA staff and EPD at the Eugene Airport after TSA was going to require a pat down search.

Incident type: Supervisor Action

Status: Active

Received date: Mar 21, 2018

Class/sub-class: Service Complaint / Courtesy

Disposition:

RP contacted the Auditor's Office after receiving a citation for illegal tint on his windows. RP felt the officer issuing the citation assaulted his personal character, devaluing him and insinuating that he was just like car dealers, and tint shops only in it for the profit. And that maybe tint shop operators shouldn't do so much meth. Both he and his passenger were both offended by the officer.

Incident type: Supervisor Action
Status: Active
Received date: Mar 21, 2018
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP reported a traffic stop where the officer was rude and disrespectful, practically yelling at her, and making rude comments to herself and her sister-in-law.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 22, 2018
Class/sub-class: Policy Complaint /
Disposition: Supervisor Review-Closed

RP contacted the Auditor's Office with a safety concern involving illegal camping in the bike underpass just past the Ferry Street Bridge. RP is a bike rider that frequently using the bike path and many times has to maneuver thru 20 to 30 people camping under the bridge, many times there is in 18 inch path through the tunnel. RP has been threatened by the campers as he tries to get by through the area. RP would like to know what can be done about this issue.

Incident type: Supervisor Action
Status: Active
Received date: Mar 22, 2018
Class/sub-class: Service Complaint / Performance
Disposition:

RP was concerned that an investigation into child abuse he reported in November 2017 was not adequately investigated by the officer who took his report.

Incident type: Incident Review
Status: Active
Received date: Mar 22, 2018
Disposition:

Internally generated that an officer may have used his position to impact a minor disciplinary decision at a school.

Incident type: Supervisor Action
Status: Active
Received date: Mar 23, 2018
Class/sub-class: Inquiry /
Disposition:

RP stopped by the Auditor's Office with a concern about an incident in which he remembers being suddenly pushed down from behind, people on his back, being handcuffed, maced and hooded. RP wonders why the use of force was so extreme.

Previously reviewed by supervisor in Blue Team. ICV also viewed by Auditor.

Incident type: Supervisor Action
Status: Active

Received date: Mar 24, 2018
Class/sub-class: Inquiry /
Disposition:

RP filed a complaint form alleging officers illegally entered her home without a warrant upon the request of a Cahoots team. RP informs that at that point she had requested the Cahoots team to leave, and officers instead of instructing them to leave, entered her home without consent and transported her to a hospital. She was released later that evening.

Inquiry pending review of ICV and police reports.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 26, 2018
Class/sub-class: Inquiry /
Disposition: Dismissed-alt remedy

RP stopped by the Auditor's Office upset with a citation that he received, for violation of park rules, (camping) when he had not been camping, the person with him did not receive a citation and the officer did not tell him he was using a body cam, so he doesn't believe one was used.

Dismiss. Alternate remedy.

Incident type: IA Investigation
Status: Active
Received date: Mar 27, 2018
Class/sub-class: Allegation of Misconduct / Performance
Disposition:

814 Vehicle Pursuit - It is alleged that an officer violated the Vehicle Pursuit policy when he initiated a pursuit of a reported stolen vehicle.

Allegations:

Performance - 814 Vehicle Pursuit Policy

Incident type: Auditor Intake
Status: Initial
Received date: Mar 29, 2018
Class/sub-class: /
Disposition:

RP reported an incident in which an officer who was trying to tase her husband, missed and instead tased her son. RP felt the execution of the arrest of her son's father was bad.

Incident type: Supervisor Action
Status: Active
Received date: Mar 30, 2018
Class/sub-class: Service Complaint / Courtesy
Disposition: Dismissed – not EPD.

RP reported an officer who stopped him for a bicycle infraction and gave him a warning for not coming to a complete stop at an intersection. The officer's comments to RP during the stop were laced with profanity, at one point asking if he was too stupid to follow the rules of the road. RP felt the interaction was unprofessional, and disrespectful, boarding on abusive.

31 incidents displayed.

Eugene Police Department

March 2018 Closed Case Report

Incident type: IA Investigation
Status: Completed
Received date: Jul 31, 2016
Class/sub-class: Allegation of Misconduct / Performance
Disposition: Sustained

8/25/16 - Admin investigation suspended pending underlying investigation not related to officer's conduct.

Reactivated - 12/26/17

1101.1.B.9 Unsatisfactory Performance

It is alleged that an officer failed to take appropriate action when he was dispatched to a Welfare Check.

Allegations:

Performance - 1101.1.B.9 Unsatisfactory Performance - Sustained

Incident type: IA Investigation
Status: Completed
Received date: Sep 17, 2017
Class/sub-class: Allegation of Misconduct / Constitutional Rights
Disposition: Sustained

Officer contacted the reporting party (RP) after seeing a man push her to the ground. He ultimately arrested her for interfering for refusing to produce identification, which she did not have on her person.

1. 1101.1.B.7 Courtesy - It is alleged that an officer was discourteous towards the RP during her detainment and arrest.
2. 1101.1.B.6 Constitutional Rights - It is alleged that the officer violated the RP's constitutional rights when he arrested her and lodged her in jail.
3. 800 Use of Force - It is alleged that a second officer used excessive force when he pushed another person known by the RP.

Also to be reviewed as performance: a supervisor's reporting of the incident and failure to properly document alleged injuries; the sergeant's assessment of the detainment and arrest of the RP; muting of the body worn camera microphone during conversations with officers.

[Linked address\(s\):](#)

Allegations:

Use of Force - 800 Use of Force - Within Policy (second officer)

Allegations:

Courtesy - 1101.1.B.7 Courtesy - Sustained (1st officer)

Constitutional Rights - 1101.1.B.6 Constitutional Rights - Sustained (1st officer)

Incident type: IA Investigation

Status: Completed

Received date: Feb 6, 2018

Class/sub-class: Allegation of Misconduct / Conduct

Disposition: Within Policy

205 - Criminal Justice Information System (CJIS) - It is alleged that an officer accessed CJIS information using EPD equipment without a legitimate work-related criminal justice purpose in violation of policy.

Allegations:

Conduct - 205 Criminal Justice Information System (CJIS) - Within Policy. The officer had a legitimate law enforcement purpose while searching for a missing person.