



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 9 - 5:30 p.m.

Eugene Public Library, 100 West 10th Avenue, Bascom Room

Contact: Vicki Cox, 682-5016

<u>ITEM</u>	<u>TIME</u> (Starting)
1. Agenda and Materials Review	5 minutes (5:30pm)
2. Public Comment	5 minutes (5:35pm)
3. Minutes Approval (Minutes from March meeting)	5 minutes (5:40pm)
4. Comments from Board Members, Human Rights Commission Liaison and Police Commission Liaison	5 minutes (5:45pm)
5. Training Topic: School Resource Officer Program	30 minutes (5:50pm)
6. Break	10 minutes (6:20pm)
7. Case Review: Investigation into Taser Use Against a Man Allegedly Attempting to Steal a Marked EPD Truck	30 minutes (6:30pm)
8. Auditor Report	15 minutes (7:00pm)
9. Discussion: Case Selection for May Meeting	10 minutes (7:15pm)
10. Adjourn – Next Meeting May 14, 2019	(7:25pm)

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

March 12, 2019
5:30 p.m.

PRESENT: Maurice Denner, Chair; Steve McIntire, Vice Chair; Rick Roseta, Carolyn Williams, Lindsey Foltz, Civilian Review Board members; Mark Gissiner, Leia Pitcher, Beatriz Hernandez, Vicki Cox, Police Auditor's Office.

AIC Captain Eric Klinko, Lieutenant Angie San Miguel, Sergeant Jason Berreth, Cindy Coleman, EPD; Serena Markstrom, HRC

ABSENT: None.

Mr. Denner convened the Civilian Review Board (CRB) at 5:33 p.m.

1. AGENDA AND MATERIALS REVIEW

There were no changes to the agenda.

2. PUBLIC COMMENT

No one from the public wished to provide comment.

3. MINUTES APPROVAL – FEBRUARY 2019

There were no changes to the minutes.

Mr. Denner deemed the minutes approved as presented.

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

Ms. Foltz recently listened to an NPR story discussing how California may change its rules around prosecuting officers and require de-escalation. She was unsure the legislative route was right and thought individual department policy would be more effective. Ms. Foltz was also curious to see data on how often people were using de-escalation skills since CRB didn't see that information.

Mr. Denner had been thinking about trainings on mindfulness and being situationally aware of what an officer was doing and where they were at. He thought de-escalation was important, as well as debriefing. Mr. Denner hoped that as more people became involved as training officers, that they could receive training on how to debrief trainees. It was good to discuss what happened.

Mr. Denner sold his home in Eugene; however, he was not ready to resign yet, and would consider telecommuting to one more meeting. He suggested Mr. McIntire run the meeting if he wasn't available.

Mr. McIntire read the same article as Ms. Foltz and had also contemplated de-escalation. Mr. McIntire had wondered many times how often the tactic was used successfully. He believed that sometimes, the issue could have been avoided. Police Commission met on February 12, 2019 but he was unavailable to attend. Another meeting was that week, which he would attend.

Mr. Roseta thanked Mr. Denner for his service and thought the community benefited from his involvement.

Ms. Cox attended the recent Human Rights Commission (HRC) meeting. There was a presentation on Guardian Trailers and how they were being used. There was also an Equity Panel on CAP 2.0, as well as a presentation on the Community Development Department's Housing Tools and Strategies recommendations.

Serena Markstrom was part of the HRC. There was a work group dealing with ethnic diversity and writing a letter about the Charlie Landeros shooting. The letter outlined what they hoped was happening during the process and what they hoped was being asked; it also pointed out the distrust between communities of color and police.

Mr. Denner wondered if the CRB's training on officer involved shootings, given to the board in February 2019, would be helpful for HRC. Sarena Markstrom said HRC had received a detailed presentation.

Mr. Gissiner asked if the work group was a subcommittee of HRC. Sarena Markstrom said more or less; there was one other work group called Whole Eugene Community United (WECU). The groups were meant to inform the Human Rights Commission.

Mr. Denner encouraged Serena Markstrom to invite commissioners and members of the public to provide comment at a CRB meeting, if their goal was to make people aware of the shooting and the investigation process.

5. TRAINING TOPIC: STREET CRIMES

Eric Klinko Acting Patrol Captain, discussed street crimes. Captain Klinko discussed the mission of the unit, and how it was constituted. EPD had a street crimes team a number of years ago, that looked different than the current concept introduced by Chief Skinner. Prior, the patrol division was centered around responding to calls for service and conducting proactive police work; however, it was difficult to conduct in-depth investigations with satisfaction.

Chief Skinner's goal was to create a street crimes team of 10 officers who would respond to neighborhood problems in saturated areas (i.e. robbery series, problem houses). A challenge faced at EPD was finding staff. There were 22 officers in training, but EPD wouldn't begin to see those officers prepared for service until late May or early June 2019.

Klinko explained it would be important to identify the individual responsible for day-to-day care of the team. EPD would conduct a selection process for two sergeants. Sgt. Scott Vinje, the current Special Investigations sergeant, would assist Klinko in setting the team up. Sergeants Mike Ware and Terry Martin would also help in the interim.

Klinko continued that EPD underwent a selection process for the general team and identified eight officers who demonstrated the necessary energy and commitment. The design of the team would differ from EPD and would be driven by the wishes of Eugene citizens.

Mr. McIntire knew EPD tracked statistics in different neighborhoods. He wondered if any of that information helped prioritize where officers would monitor. Klinko said some work would be driven by complaints and crime statistics.

Klinko said the team would primarily work a set schedule, but it could be adjusted as needed. One goal of the street team was to ensure the Saturday Market was a safe, enjoyable place. Team members would be available to respond to emergency calls for service but would not routinely be dispatched. Hopefully, issues would be resolved creatively and through relationships.

Mr. Gissiner wondered if there was a formal, collaborative relationship with the District Attorney (DA). Klinko said the DA was hesitant to enter into such an agreement, but some officers had established relationships with different DAs. With those relationships, officers were able to hand walk cases over to attorneys interested in those types of cases, or who were working on other cases against the offender. It wasn't a formal agreement, but those relationships enhanced the prosecution process. Many cases would have community impact because they were festering problems that had drawn the attention of City Council.

Mr. Gissiner wondered if the team was disconnected from dispatch. Klinko said the Street Team operated on a different channel than the main operating line. The goal was to be an asset to patrol, not a burden.

Mr. Denner asked about relationships with Springfield PD and UOPD. Klinko said there was a certain level of contact with UOPD, depending on the problem. For example, areas like West University were high priority for UO. A lot of students lived there, and it negatively affected the school when the neighborhood was perceived as being unsafe. Springfield had its own unit, but information would likely still be shared.

Mr. Roseta asked how the street crimes team worked with the investigative unit. Klinko said that collaboration would be a central theme, however, most cases the team would work on wouldn't necessarily delve into the realm of investigation.

Klinko explained the team had bridge funding for 18 months, but it was an ongoing community justice effort. The hope was monies would be secured to keep the team up and running beyond 18 months. If funds weren't secured, officers would be absorbed into patrol, but Chief Skinner felt confident they would find funding one way or another.

Ms. Foltz asked who directed which projects the teams worked on. Klinko said multiple sources, but primarily from him, in consultation with Sergeant Vinje. The team was a work in progress, so it would likely look different in a year. Leadership would periodically evaluate its impacts on the department as a whole.

Mr. McIntire was struck that the team should track success to explain the team's value. Having that data could help secure additional funding. He was concerned that street team officers could be redirected from their main mission for other patrol reasons. Klinko said tracking data was required as part of the bridge funding. The team would then report back to City Council on how the money was spent, and how successful the initiative was. Mr. McIntire noted some things were not quantifiable, but still impactful.

Mr. McIntire wondered the goal behind working on problem homes. He asked if officers would follow up with home owners after being in jail, etc. to help them get into rehabilitation. Klinko said the team would try and help every person, but that probably was not possible. He didn't want to convey the team would act like the homeless outreach team; however, the officers could be a conduit for additional resources. EPD didn't want to arrest its way out of a particular problem.

Ms. Foltz hoped the team contemplated the question of how to quantify success. Klinko thought that was a great point. The team was still contemplating what success looked like and how to ensure it was statistically relevant.

Ms. Foltz said stories, not just data, were powerful in sharing success. But, that also required officers to capture those stories. Storytelling would be important in letting the community know about the street crimes team.

Klinko said press releases would occur. Also, the street crimes team uniforms were slightly different than traditional patrol uniform, and their cars were adorned with markings indicating it was the street crimes team and not a patrol vehicle. Hopefully, through proper messaging, people realized what was happening.

6. BREAK

CRB took a break from 6:25 p.m. to 6:35 p.m.

7. CASE REVIEW: INVESTIGATION INTO TASER USE

Mr. Denner disclosed he knew an officer involved. It wouldn't affect his comments, but he wanted to inform those present.

Ms. Pitcher presented a PowerPoint entitled, "Case Summary: CRB March 12, 2019."

I. Summary of Facts

- Officer A was working a traffic assignment when he and Detective D noticed two LCSO reserve deputies physically struggling with a person who they were apparently attempting to take into custody.
- Officer A and Detective D approached the struggle. Officer A saw that the person was in handcuffs and ordered him to get on the ground or he would be tased.
- At the moment of the Taser warning, Detective D's body-worn video showed that the suspect was looking in the direction of the approaching EPD employees and that LCSO reserve deputies were holding his arms.
- Detective D started to utilize a hair-hold to try and move the suspect to the ground. About two seconds later, Officer A can be heard shouting "Taser, taser taser" and then Taser deployment can be heard.
- The suspect went to the ground during the Taser deployment, and Officer A notified dispatch. The suspect was instructed to relax, which he did, and Officer A kept the Taser on the suspect's right ankle. The Taser was not deployed a second time.
- A supervisor entered a use of force report into Blue Team. Upon review of the Use of Force report, this internal investigation was opened.
- Officer A maintained in his interview that other force options were not reasonable under the circumstances.

II. Allegations

- a. **809 Taser Use:** That Officer A violated policy when he discharged his Taser against a handcuffed prisoner.

III. Adjudication

- a. Taser Use
 - EPD chain of command recommendation: Within Policy
 - Auditor's Office recommendation: Sustained
 - Chief of Police: Within Policy

IV. Issues for CRB Discussion

- Intake/Classification

There were no comments.

- Investigation and Monitoring

Mr. Denner had no problem within the investigation but had one question for Sgt. Berreth. He noted there were two civilians at the bus stop viewing the scene and wondered if their names were taken. Sgt. Berreth didn't recall them being mentioned in any reports. Mr. Denner said they were closer to the event than almost anyone else. He was unsure their testimony would have been helpful, but it could have supported the allegation. Mr. Denner thought the interviews and process of investigation were fine, and expediate.

Mr. Roseta would have been interested to know if there was a toxicology report done, in order to determine what was causing the person's violent reaction. Ms. Pitcher said an inventory of drugs was done within the person's backpack, and there were many. Narcan application was done many times during the process. She was unsure if medical records were part of the investigation. Mr. Roseta assumed opiates were involved because Narcan seemed to help the person's condition. He was unsure if the treatment helped with other drugs. Mr. Gissiner said it also helped fentanyl overdoses.

Ms. Williams thought the investigation was thorough. She thought the BWC was helpful, but it would be nice if officers were able to connect them to traffic vests, rather than underneath.

Ms. Foltz thought the investigation was well organized. It was unfortunate to not have BWC footage from Officer A due to his traffic vest. She noted Lane County sheriffs did not wear BWC, which was unfortunate.

Mr. Denner shared Ms. Foltz's concern about sheriff employees not having cameras. They were also on a different radio frequency.

- Relevant Department Policies and Practices

Mr. Denner said there were some challenges in communication between the four agencies present. There were Lane County Sheriff's Department, EPD, Fire, and Medical services. He thought as UOPD improved at managing large crowd situations, they could take more responsibility for football games and other events.

Mr. Denner was also impressed by the quality of after-care given by EPD employees. There was concern for the subject, follow through, and ensuring that Narcan was provided. The handcuffs were also taken off when it was appropriate.

Mr. Roseta agreed. He noted EPD officers moved the subject from off the concrete onto the grass for CPR, which was best practice.

Ms. Williams wanted to commend officers who were speaking with the subject's girlfriend; it was an impressive interaction.

Ms. Foltz added that in the hospital, there were moments when the subject was asking questions and the officers were being personable and kind. They couldn't answer all of the questions, but they treated the person very humanely. She appreciated the officers' demeanors.

- Policy and Training Considerations

Mr. McIntire said that after the person was tased and handcuff, he was face down. It reminded Mr. McIntire of a previous case dealing with positional asphyxia. The scene appeared to have similarities, so he wondered if there was any discussion about the possibility, and any talk about aftercare.

Ms. Pitcher said she could not recall an official discussion on that topic. With the presence of drugs in the subject's backpack, it appeared those were likely what caused him to lose consciousness, rather than his position. Mr. Gissiner said positional asphyxia was hard to diagnose unless done through autopsy.

Ms. Williams said it was hard for her to see how the officers knew to administer Narcan. She also brought up taser use. She understood they were the least harmful of methods available to officers in apprehending an individual, but wondered about their legality.

Sgt. Berreth said all officers received Narcan training. Officers were trained to provide Narcan when they didn't know why someone was unconscious and there was even a possibility of opioid overdose. It never hurt to administer Narcan.

Ms. Foltz wanted to learn more about the taser policy. She explained Officer A took the Taser out, pointed it at the individual, gave eye contact, and said, "I am going to tase you." She wondered if that was the protocol officers were supposed to use. Sgt. Berreth confirmed that, if officers were able to provide a verbal warning, then they should, as that provided the subject with a chance to comply.

Ms. Foltz said when looking at the situation, clearly, the Lane County deputies were struggling with the person. She wondered, from the officer perspective, what risk the person was to himself and others if the officers lost control. Sgt. Berreth said officers likely assumed the individual would run rather than fight. One priority was to keep the person away from traffic, as that could become a deadly situation in which officers were liable.

- Adjudication Recommendations

Mr. Roseta agreed with the adjudication, but also understood Ms. Foltz' analysis on 809.4.2, where it said, "a taser should not be administered absent of overly violent behavior that cannot reasonably addressed by other available means." Mr. Roseta noted it was a call that had to be made quickly. He chose to give benefit of the doubt to the officer. It was a charged situation, with unprepared officers from outside agencies.

Ms. Williams saw both sides of the argument. BWC would have made the event clearer. Ultimately, she thought it was within policy, but the situation definitely brought up questions about the policy.

Ms. Foltz agreed with previous comments. It was difficult to see exactly what was going on as it happened very fast. She was not sure the subject should have been classified as violent or combative. It did look like he was trying to get away, or at least have some control of the situation, but he wasn't quite violent. Ms. Foltz thought other measures being used were in the process of being effective, and that the officer didn't leave enough time to assess the efficacy. She thought the use of the Taser appeared to be premeditated but agreed with the Police Auditor's adjudication.

Mr. Denner came on the side of Chief Skinner after listening to the interviews with the two sheriffs, twice. One was highly experienced in the profession and in martial arts, and they thought the Taser made a difference in the situation.

Mr. McIntire agreed there could have been more time. After watching the BWC and reading the policy, he thought it was a stretch to say the subject's behavior was violent. He measured the officer's conduct against the policy that existed, and he didn't believe the officer was within current policy.

- Additional Comments

Ms. Williams said it was a fine line. Within the policy, it read a person fleeing should not be the sole justification for discharge of a taser. She thought the subject running was the officer's main concern, not violence. Ms. William changed her opinion and believed that the allegation should have been sustained.

Mr. Denner had one other consideration. He thought there was a point where the reaction wasn't based on training, but experience; knowing the history of the two officers, who were long-time employees that had dealt with many people in similar situations.

Mr. Roseta returned to policy. He thought the danger in cases was that those analyzing the situation had the benefit of time and knowing the ultimate result. It was easy to say something else should have been

done in the moment -- there could have been lots of scenarios. It was easy to use hindsight, and it was one danger of making judgement on things happening kinetically in the field.

Ms. Pitcher thought Mr. Roseta made a good point. She noted no other policies included anything nearly as restrictive as the phrase, "use only if less intrusive means are unavailable." Ms. Pitcher thought the wording invited folks to consider what else could have been done.

Mr. Gissiner said the policy was shaped by how courts looked at tasers. They were highly critical and elevated tasers to one step below shooting someone.

Mr. Denner added the officer explained they were unable to get the subject to the ground with other methods of force. He took the officer's word.

Mr. McIntire asked if the subject was drive stunned. Sgt. Berreth confirmed it caused a full muscle lock up. Mr. McIntire noted how the subject was tased (deploying the taser probes rather than a drive stun) was not within policy. Ms. Pitcher stated that she hadn't performed a written analysis on that topic because the policy wording read, "should consider using drive stun."

8. AUDITOR REPORT

Mr. Gissiner provided a report. At the time, there are four CRB vacancies to be filled in the current recruitment process. Mr. McIntire's term was up, and he didn't plan to reapply. Mayor Vinis and Mr. Gissiner needed to create a sub-committee to review applicants and make recommendations to City Council by April 10, 2019. Board and commission interviews would take place in mid-April 2019.

Ms. Hernandez was working on compiling annual reports. She sent a draft CRB annual report to Mr. Denner and Mr. McIntire for review. Ms. Hernandez would send the draft to other members upon request.

Mr. Gissiner reported the Latinx public safety forum was planned for February 2019 but was moved to May 21, 2019. He also stated that a review of EPD's use of deadly force on Charlie Landeros was planned for Tuesday, April 2, 2019. He mentioned that whether to make that case a community impact case was still a consideration.

Mr. Denner had concerns because community impact cases were meant to review and tell the department it made a mistake, without changing the adjudication. There was community concern about police conduct, but the victim's family (who had a chance to reflect), expressed they didn't want it to be a public event. It was important to balance those issues.

9. DISCUSSION: CASE SELECTION FOR APRIL 2019

There was no discussion.

10. ADJOURN - NEXT MEETING APRIL 9, 2019

Mr. Denner adjourned the CRB meeting at 7:40 p.m.

(Recorded by Marina Brassfield, LCOG)

Eugene Police Department

March 2019 Closed Case Report

Incident type: IA Investigation
Status: Completed
Received date: 2018
Class/sub-class: Allegation of Misconduct / Conduct
Disposition: Sustained

Allegation:

1) That an officer violated Section 103.4.1 Judgment of the Standards Duties and Conduct policy when he failed to disclose to accurately disclose his work schedule.

Allegations:

Performance - 103.4.1 Judgment - Sustained

Incident type: IA Investigation
Status: Completed
Received date: March, 2019
Class/sub-class: Allegation of Criminal Conduct / Conduct
Disposition: Administratively Closed

RP filed a report with a local police department alleging that she was the victim of a violent crime between 2012 and 2017 or 2018 while living in Eugene, Oregon. At one point she indicated that the involved was an EPD officer. The RP then reported other violent crimes.

EPD conducted an investigation and found no connection to an EPD employee or probable cause to identify any suspects in any of the alleged violent crimes.

Administratively Closed

Incident type: IA Investigation
Status: Completed
Received date: March, 2019
Class/sub-class: Allegation of Misconduct / Discrimination
Disposition: Dismissed-o/s jurisdic

The RP reported an incident in which he observed an arrest of a Hispanic man in front of Muni Court by a non-uniformed officer. The man was struggling with the officer and he called out to the man to stop resisting, that he was filming, and any issues could be handled later. After the man was cuffed and pulled up from the ground the officer, very rudely demanded to know where RP was born and then told him it was a crime to claim you are from the US if you're not. The officers also claimed he was being aggressive, even though he did not get physically close to the arrest. RP believes the officer was so aggressive with him because of his race.

Dismiss not EPD.

Incident type: IA Investigation
Status: Completed
Received date: March, 2019
Class/sub-class: Allegation of Misconduct / Conduct
Disposition: Dismissed-Other

RP posted on Google review an incident in which he alleged he was forced to answer questions

including his social security number when he notified the officer he wanted to remain silent. RP was cited for trespass and accused of selling drugs.

EPD POM: 306, Part 1, B. 1 and 2.

B. Requirement to provide social security number

1. If you ask for a person's social security number, advise him/her that:

" He or she is being asked for the social security number based on department policy in order to ensure accurate record-keeping, and

" He or she is not required to provide the social security number.

2. No person is required to provide his/her social security number to you in any situation. You may not take any action against the person for declining to provide his/her social security number. (The presence or absence of a social security number may be one factor considered, along with other relevant factors, in determining whether a person's identity has been adequately established for purposes of Policy 302 Citation in Lieu of Custody if he or she is being cited and released.)

EPD and officer agreed that policy violation occurred. Adjudicated through facilitated discussion with IA.

Eugene Police Department

March 2019 Open Case Report

Incident type: Supervisor Action
Status: Completed
Received date: Mar 1, 2019
Class/sub-class: Inquiry /
Disposition: Dismissed-Other

RP reported an incident she observed in which 5 or 6 officers were harassing a man on the street at 7th and Willamette, the man was on the ground being held down by officers while they yelled at him to stop resisting, it didn't look like he was resisting. His dog was trying to help the man and officers picked the dog up by the tail and the neck and swung him around, mistreating the animal. It seemed like police brutality to RP.

Dismiss per Auditor after review of BWC. Reasonable force used and dog was not grabbed as described.

Incident type: Supervisor Action
Status: Active
Received date: Mar 4, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an issue in which she feels a huge mistake was made by an officer who brought a man to her home. Her tenant let them into a downstairs studio, because the man claimed his 14-month-old child was on the premises, the officer then allowed the man to roam up the stairs into her portion of the house unoccupied. RP confronted the man who is lucky she did not have a weapon, when an unknown man suddenly appeared in her kitchen.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 4, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Dismissed-Other

Anonymous reported being unhappy when they called the non-emergency line for information about noise complaints and was directed to read the municipal code. The call taker acted like they didn't know the law and it is obviously a method of discouraging complaints, no complaint form was found on their web page, RP feels this is a pattern of denial of service.

Dismissed - Due to lack of detail in anonymous complaint, and no policy violation.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 5, 2019
Class/sub-class: Inquiry /
Disposition: Dismissed-o/s jurisdic

RP submitted documents via the Mayor's Office with a citizen's complaint pertaining to the Sheriff's Department.

Dismiss - Outside Jurisdiction

Incident type: Supervisor Action
Status: Completed
Received date: Mar 6, 2019
Class/sub-class: Service Complaint / Performance

Disposition: Supervisor Review-Closed

RP reported an incident in which she was assaulted by a neighbor and officers were not sent for 2 1/2 hours. Then because the man denied hitting her in the chest and threatening to kill her, no arrest was made. The man who witnessed the assault would not answer his door to police, so the officers decided it didn't happen and no arrest was made. RP is now afraid in her own apartment complex and management will not help because police didn't charge the man. RP still wants to press charges and wants to know how this can be accomplished.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 7, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP reported an EPD vehicle that was turning the corner at 7th and Olive come dangerously close to a woman carrying a child in a car seat, the vehicle turned into the same lane the woman was occupying at the time.

Incident type: Supervisor Action
Status: Active
Received date: Mar 7, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP is concerned that when he calls the 911 line for medical assistance he also gets sent officers.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 7, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Dismissed-EE Not Identif

RP reported an officer who blew right thru a red light at West 11th and Seneca with no lights or sirens activated. If RP hadn't noticed he would have been hit by the officer.

Per Auditor - Ok to Dismiss - Unable to identify the involved employee.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 8, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RPreported that she has been assaulted for the 2nd time in a week by her neighbor, this time she blacked out from the assault. The officer's that responded failed to once again arrest or doing anything about the issue. When RP asked for their names and badge numbers she was given a list of first names with no badge numbers, the names were illegible, she thinks Tyler was one of them. RP is scared of her neighbor and can't understand why no one will help her.

Incident type: IA Investigation
Status: Completed
Received date: Mar 11, 2019
Class/sub-class: Allegation of Criminal Conduct / Conduct
Disposition: Administratively Closed

(See closed cases)

RP alleged acts of violent crimes between 2012 – 2017.

Administratively Closed.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 12, 2019
Class/sub-class: Inquiry /
Disposition: Dismissed-Other

RP left a comment on a review page stating, "cop that pulled me over gave me the creeps."

Dismiss per Auditor after review of BWV.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 12, 2019
Class/sub-class: Inquiry /
Disposition: Dismissed-Timeliness

RP emailed the Auditor with a concern about a used of force incident that occurred in 2017 at the Library, where he alleges his head was slammed to the ground, he was choked, and his personal property broken.

Dismiss - timeliness.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 13, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

A medical call was received from the wife of the patient. The patient could be heard yelling and cursing at the caller in the background, and a detail was added to the call to document it. It was later learned via a responding unit, that there had been a prior dispute at the residence involving a gun. Shortly after, the dispatcher, overheard LCSO radio traffic indicating the patient was wheelchair bound but had access to several guns. The information regarding the patient yelling and cursing was not relayed to the responders. The subsequent information heard from the LCSO radio traffic was also not relayed to the responders.

After the call, a public agency employee, called the supervisor's line to express her extreme frustration at the information not being relayed and the inherent safety issues it presented for the responders.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 14, 2019
Class/sub-class: Policy Complaint /
Disposition: Supervisor Review-Closed

RP reported a concern about over the last year being pulled over 5 separate times for the smallest infractions (tire on the white line etc.) and then accused of driving with a suspended license. RP is a homeless vet that is living in his car, and unfortunately his twin brother who does have a suspended license is on the car registration. At this point it is too costly for him to try to get his brother off the car as is requires refinancing. RP is frustrated with the continued attention by police officers.

Incident type: IA Investigation
Status: Completed
Received date: Mar 15, 2019

Class/sub-class: Allegation of Misconduct / Discrimination
Disposition: Dismissed-o/s jurisdic

RP reported an incident in which he observed an arrest of a Hispanic man in front of Muni Court by a non-uniformed officer. The man was struggling with the officer and he called out to the man to stop resisting that he was filming, and any issues could be handled later. After the man was cuffed and pulled up from the ground the officer, very rudely demanded to know where RP was born and then told him it was a crime to claim you are from the US if your not. The officers also claimed he was being aggressive, even though he did he did not get physically close to the arrest. RP believes the officer was so aggressive with him because of his race. (Latino).
Dismiss not EPD.

Incident type: Supervisor Action
Status: Active
Received date: Mar 18, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an EPD vehicle that blew through traffic at Bellline heading on to West 11th with lights and sirens and then once onto West 11th turn off the lights and sirens and leisurely go on its way.

Incident type: IA Investigation
Status: Completed
Received date: Mar 18, 2019
Class/sub-class: Allegation of Misconduct / Conduct
Disposition: Dismissed-Other

RP posted on Google review an incident in which he alleged he was forced to answer questions including his social security number when he notified the officer he wanted to remain silent. RP was cited for trespass and accused of selling drugs.

EPD POM: 306, Part 1, B. 1 and 2.

B. Requirement to provide social security number

1. If you ask for a person's social security number, advise him/her that:

" He or she is being asked for the social security number based on department policy in order to ensure accurate record-keeping, and

" He or she is not required to provide the social security number.

2. No person is required to provide his/her social security number to you in any situation. You may not take any action against the person for declining to provide his/her social security number. (The presence or absence of a social security number may be one factor considered, along with other relevant factors, in determining whether a person's identity has been adequately established for purposes of Policy 302 Citation in Lieu of Custody if he or she is being cited and released.)

Agreed that policy violation occurred.

Incident type: Incident Review
Status: Completed
Received date: Mar 18, 2019
Class/sub-class: Incident Review / Performance
Disposition: Supervisor Review-Closed

RP reported an issue with the enforcement of a restraining order she has on a neighbor. The man has been harassing her family and making threats to burn down her home. The restraining order forbids him from pulling into her driveway or making contact with her and her children.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 18, 2019
Class/sub-class: Policy Complaint /
Disposition: Dismissed-Other

RP to the Auditor's Office to leave a comment (concern) about a news article. One of the officers was quoted as saying "Because I asked you" when questioned about answering questions. RP feels this is an implied threat and is said with an attitude of do what I say or else. This phrase was used on her once by an officer and it created great fear. RP is concerned that this type of tactic it still being used, is this trained or protocol? RP did not want a call back, just to raise the concern.

Policy complaint. Dismiss per Auditor because follow-up with complainant is not required.

Incident type: Supervisor Action
Status: Active
Received date: Mar 18, 2019
Class/sub-class: Service Complaint / Service level
Disposition:

RP reported an issue with EPD's online reporting system.

Incident type: Supervisor Action
Status: Active
Received date: Mar 18, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported being unable to get service from EPD when he called about 3 dogs in a car at Valley River Center with no water. RP had security come by and they used a laser thermometer to verify that is was 100 degrees in the vehicle and the dogs had been in the car 1/2 an hour or longer. The call-taker who he spoke with treated him like he was a child and claimed no help could be sent because it wasn't that hot outside. RP even went over to EPD headquarters to try and get help for the animals a second time with the same results.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 18, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP reported an incident in which she and her daughter went to EPD headquarters on the advice of a CA Sheriff's Office to report incidents of molestation that had happened to her daughter who has Asperger's syndrome. Even though the issue had happened in CA several years ago, the man (her ex-partner), is now living in Eugene. She was told to file a report with EPD also. She and her daughter were required to talk to someone about this very private issue in the lobby, which upset her daughter greatly.

Incident type: Supervisor Action
Status: Active
Received date: Mar 19, 2019
Class/sub-class: Policy Complaint /
Disposition:

RP is frustrated with EPD's prohibitive camping program that doesn't get the job done. She and her neighbors have had a man camping in a motorhome in front of her house for the last 5 years, he has a motorhome, and 2 or 3 other cars that he moves around daily, moving the motorhome and then moving the cars into its space during the day and switching them around again at night.

Incident type: Supervisor Action
Status: Active
Received date: Mar 20, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP has contacted the call center a couple of times now was the latest time to report his roommate's friend who is driving impaired, (high on marijuana). He is also driving without a license, no insurance and a car with expired CA tags. Because he calls right before the guy leaves the apartment, no one is dispatched, he's told unless he's driving right now they can't do anything. RP feels this is just wrong, he's trying to be pro-active before the guy hurts someone.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 20, 2019
Class/sub-class: Service Complaint / Performance
Disposition: Supervisor Review-Closed

RP feels that evidence has been mishandled in his arrest. RP made a public records request for his police report and learned that the officer used a photo to identify him. A second public records request found that they did not have photo in the file nor had it been uploaded to the server.

Incident type: Incident Review
Status: Active
Received date: Mar 21, 2019
Class/sub-class: Incident Review / Conduct
Disposition:

An Anonymous female reported that a Black Tahoe with public plates which she believes is a police vehicle, assigned to an officer who lives in her neighborhood is being driven by a female relative. Dismissed, unfounded.

Incident type: Supervisor Action
Status: Active
Received date: Mar 21, 2019
Class/sub-class: Policy Complaint /
Disposition:

RP contacted with Auditor's Office upset at what he perceives to be unequal policing of the prohibitive camping ordinance in different parts of town.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 21, 2019
Class/sub-class: Inquiry /
Disposition: Dismissed-Timeliness

RP submitted documents in which he alleges that in 2017 an officer working with INET made inaccurate reports about him and/or allowed OSP troopers to make inaccurate reports.

Dismiss - timeliness.

Incident type: Supervisor Action
Status: Active
Received date: Mar 22, 2019

Class/sub-class: Service Complaint / Performance
Disposition:

RP inquired into the policy regarding contacting next of kin or family when someone has been wounded.

Incident type: Supervisor Action
Status: Active
Received date: Mar 22, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an incident in which he witnessed a man being kicked in the head near Willamette and Broadway. He yelled at the man to stop as he fled. An officer came by and told him to wait so he could question him. RP waited for over an hour and no one came back to get his statement about what had happened.

Incident type: Supervisor Action
Status: Active
Received date: Mar 23, 2019
Class/sub-class: Inquiry /
Disposition:

Anonymous reported an incident in which EPD were dispatched to a roll-over accident. RP believes that the driver was DUII and officers didn't even administer a DUII/breath test.

Incident type: Supervisor Action
Status: Active
Received date: Mar 25, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP reported an incident in which officers were dispatched to his apartment for a family dispute. RP and his wife are attempting to get custody of her 14-year-old brother to get him help. A woman Sgt. led them to believe that they would not have to do that, that the 14-year-old can get the therapy help etc. on his own. Calling around today they found out otherwise, that a parent or custodian had to sign for such help.

Incident type: Supervisor Action
Status: Active
Received date: Mar 25, 2019
Class/sub-class: Service Complaint / Courtesy
Disposition:

RP reported an incident at the airport when her traveling companion approached a police officer to express a concern about the new drop off policy. The officer in a loud booming voice 3 times yelled "STEP BACK". RP feels the reaction was over blown and not the way to treat a citizen.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 26, 2019
Class/sub-class: Inquiry /
Disposition: Supervisor Review-Closed

RP sent an email to HR and the Police Auditor's office advising that she discovered that permissions to her desktop and all other folders on her assigned work computer had been given to a co-worker.

This matter is resolved; no policy violation.

Incident type: Supervisor Action
Status: Completed
Received date: Mar 27, 2019
Class/sub-class: Inquiry /
Disposition: Dismissed-o/s jurisdic

RP or possibly someone on his behalf filled out a complaint form alleging that police with DEA badges took him to a DEA office at the age of 16 against his parent's wishes and interrogated him for 14 days in a padded room. He was interrogated about a Gregory Todd Daily. RP did not give a date other than April about 2000.

Dismissed by Auditor. Outside jurisdiction.

Incident type: Supervisor Action
Status: Active
Received date: Mar 27, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP filed a concern about an officer giving false information on Oregon law during a traffic stop. Also a rude and condescending remark "I'm trying to treat you like an adult" RP feels this was poor conduct on the part of the officer.

Incident type: Supervisor Action
Status: Active
Received date: Mar 28, 2019
Class/sub-class: Service Complaint / Performance
Disposition:

RP has been trying for the last month to get a return call from an Officer, so she can have him do the paperwork to release her personal belongings from evidence. Property Control has also been unable to get a return from the officer. RP would like to speak to a supervisor to get this expedited.

Incident type: Supervisor Action
Status: Active
Received date: Mar 28, 2019
Class/sub-class: Inquiry /
Disposition:

A person alleged that she was a victim of a violent crime.

38 incidents displayed.

Eugene Police Department Commendations

March 2019



The Eugene Police Department received 22 commendations from citizens in March, 2019. Below is a sample of those commendations.

- A citizen commended an officer for their "stellar" work in leading a program to alleviate the burden that abandoned motorhomes have not only placed on the city, but also to the rotation of tow companies that are called upon to remove them. In most cases, this has incurred excess costs and a loss of revenue for the tow companies. The citizen commented, "I can't say enough about (officer's name) ability to spearhead this effort. I think this is extremely serving and caring for both the public and the tow companies." The citizen further stated, "He just seems to be stellar in his work."
- Officers were commended by a citizen for the caring and professionalism displayed when they responded to a call involving a young lady's attempt to be hit by passing cars in an intersection. The citizen commented, "The first officer that showed up was so very patient and kind to her. She sat in the traffic lane and he did everything he could do to get her to voluntarily get out of the road. Other officers also showed up and I was amazed at how they tried to help her." The citizen further stated, "These officers took the time to speak kindly to this woman and attempt to get her help instead of just rushing in and arresting her."
- A citizen commended an officer for the compassion shown when the citizen's family experienced the tragic loss of one of their family members. The citizen commented that the officer was "absolutely wonderful, supportive and kind" during the entire tragedy. The citizen further stated, "Despite the outcome, the family is very thankful that (officer's name) was there."
- An officer was commended by a citizen for the "kindness and compassion" displayed when the citizen had been the recipient of racially disparaging remarks from another involved citizen during a 'Disorderly Conduct' incident downtown. The officer was able to provide the citizen a resource to reach out for assistance related to the event. The citizen felt that the incident was "very disturbing" and the officer's "kindness" was able to positively help the citizen in dealing with the situation.
- A citizen that recently had the opportunity to accompany an officer on a ride-along, commended the officer for the positive experience. The citizen commented, "I was honored and what a privilege to go on my first ride-along last night. This man was truly an awesome representative of law enforcement at

its finest." The citizen further stated, "We went on several calls and I was able to watch other officers doing their jobs. The teamwork and trust they have in each other reminded me of my days in the Marine Corps. Thank you again for the ride-along and the amazing officers and staff at EPD."

- An officer was commended by a citizen for their professionalism during a recent 'Domestic Dispute' call for service. The citizen commented, "I would like to commend your fellow (officer's name) for being professional, and easy to talk to when I gave a witness statement to him yesterday."
- A citizen commended officers for their response to a call for service at a local school where a student had been aggressing towards staff. The student had also been repeatedly kicking a door, in an attempt to get into a classroom where other students were. Officers arrived and were able to diffuse the situation. The citizen commented, "(Officer's name) was extremely compassionate, sensing my distress, and assisted in calming me so that I could provide clear and articulate answers to his questions. (Officer's name) was also attentive to ensure that I, nor another involved staff member, required medical attention. I felt listened to, respected and unrushed throughout the process." The citizen further stated, "This is yet another example of the positive partnership we have with the Eugene Police Department."
- A community service officer was commended by a citizen for the

presentation the officer recently gave on personal safety at the citizen's workplace. The citizen was very appreciative and commented, "The residents were fortunate to have had someone with your professional expertise and credentials to conduct the workshop. You engaged your audience, had a great sense of humor, and answered all questions. I have received positive feedback from the attendees. Your friendly manor [sic] and knowledge of the subject matter made for a successful evening."

- A citizen commended the officers that responded to a call for service where the citizen was the victim during a 'Hit and Run' incident. Officers responded and assisted by taking a report and informing the citizen of the next steps. The citizen commented, "They were both professional, caring, helpful and handled the situation in a way that went well beyond what I expected." The citizen further stated, "I am appreciative of all that you do for the citizens of our community."
- Officers were commended by a citizen for their professionalism during a recent traffic stop. Officers stopped the citizen because it was identified that the vehicle the citizen was driving was possibly stolen. Even though this turned out to not be the case, the citizen was very impressed by the officers' demeanor while going through the process in validating ownership. The citizen commented, "They did a really good job on just being thorough and not jumping to conclusions. It ended up not being a big deal."

- A citizen commended a community service officer for their act of kindness in assisting the citizen when they had been shoveling snow and stopped for a moment due to running out of breathe. The officer witnessed this, got out their vehicle and shoveled the citizen's driveway so they could get their car out. The citizen was in awe by the officer's actions and commented, "He's a good guy!"
- A citizen commended detectives that investigated a case involving the death of their son. During the trial, the citizen gave an impact statement that acknowledged both detectives. The citizen recognized and sincerely appreciated their "dedication to justice" for their son's death and also spoke to their hard work during the case.