

New Complaints and Commendations Overview:

62 complaints opened from June 1 to June 30:

- 18 Service Complaints
- 25 Inquiries
- 13 Policy Complaints
- 4 Incident Reviews
- 2 Allegations of Misconduct

56 Commendations were received during this period.



Highlights

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New Complaints

We opened 62 complaints from June 1 to June 30, 2020: 25 Inquiries, 18 Service Complaints, 13 Policy Complaints, 4 Incident Reviews, and 2 Allegations of Misconduct; for a total of 193 complaints so far this year.

As a reminder, the complaints we receive are a first step in a thorough investigative process. Like complaints filed in court, they represent only one side of an interaction. Prior to the investigation, we have no way to discern the accuracy of the information provided in the complaint. What you read here is not necessarily the truth of an incident; it is an introduction to an incident that will be thoroughly investigated. For the purposes of space, the complaint summaries are brief. In particular, inquiries are often used to begin an investigation when the information provided to us from a complainant is limited. Many times inquiries are reclassified.

If a complaint is received that alleges criminal conduct on the part of the employee, the police auditor forwards the complaint and any associated information to the chief of police.

Open and Closed in June

Within the month of June, we opened and closed 32 complaints: 20 Inquiries, 7 Service Complaints, 3 Policy Complaints, and 2 Incident Reviews.

Inquiries:

- 1) The complaints originally linked to this number have been moved and merged with another case per Auditor. This file can be closed.

Summary of Investigation: See above.

- 2) The complaints originally linked to this number have been moved and merged with a separate investigation per Auditor. This file can be closed. This filed has been reclassified to an inquiry and administratively closed.

Summary of Investigation: See above.

- 3) RP complained that a citizen that was only trying to protect himself and his family by shooting his weapon on the ground to disperse rioters was charged.

Summary of Investigation: Dismissed: Alternative Remedy

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Police Auditor's Office

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- 4) RP is trying to speak with a supervisor about an attempt-to-locate notice for his son and provide information and evidence to the investigator about the false allegations that are being made by his son's ex-girlfriend and mother of his children. RP's son has various medical issues and PTSD when it comes to police and needs RP's help with communicating with police. They have spoken with the officer involved and with a Sgt. and are only being told they have probable cause. RP and his son feel they do not have the complete picture.

Summary of Investigation: This case should be closed within policy, since the officers were acting in good faith to investigate and close several reports of Violation of Restraining Order, and since the complainants' assertions about their opinion of the ex-girlfriend have no bearing on the conduct of EPD officers in this case.

- 5) RP filed a complaint form with concerns about police dating from 2015, as well as statements regarding monsters so evil they don't care who they hurt to go after him.

Summary of Investigation: Dismissed: Other

- 6) RP filed a complaint form about an incident from 2014 in which he was allegedly assaulted.

Summary of Investigation: Dismissed: Timeliness

- 7) RP complained about a traffic citation for no turn on red in which he is sure it had turned green before he proceeded.

Summary of Investigation: Dismissed per Auditor: Alternative Remedy (Municipal Court).

- 8) Duplicate entry/intake combined with a previous complaint.

Summary of Investigation: See above.

- 9) RP inquired into whether the tear gas used by EPD has an expiration date on it. RP stated that the LCC paper was claiming that tear gas has such a date and the older it is, the worse effect it has on people and that this out of date tear gas was used this last weekend.

Summary of Investigation: EPD attempted telephone contact with RP three times including leaving a message and contact number. RP has not called back or answered his telephone. Some of the CS gas canisters used during the incidents of civil unrest during the weekend of 05/29 to 05/31 were expired. When the shelf life of the gas canister is expired the manufacturer does not guarantee that the fuse will ignite or produce the amount of gas a canister within its shelf life would put out. This is due to the degrading fuse and expulsion mechanism. The CS gas does not become any more dangerous after the warranty has expired. Several expired gas canisters that were deployed either failed to disperse CS or put out a small amount.

- 10) RP claimed that he was punched in the back by an officer while sitting peacefully at the Agate Station. This caused him an injury and he went to the ER. RP then crossed the street, sat under a tree where the officer gave him a citation for harassment.

Summary of Investigation: RP is known by EPD and has a history of mental illness, making threats to others, and calling 911 without an emergency. After watching the entire video, it was clear that this allegation of assault against an officer was an inaccurate accusation made by RP. BWV showed RP confrontational and refusing lawful orders from the officer, who was trying to get RP to just stop. At no time did the officer use any force or try to assault RP.

- 11) RP complained that an undercover officer tried to pull him into a sting while he was out on an early morning walk (0200-0230). The man came up to him and said "looking to smoke some pot?" RP walked away, he knows it is illegal to smoke in public and doesn't appreciate being set up. Note: Review by supervisor indicated this was not an EPD officer.

Summary of Investigation: Dismissed per Auditor: Employee not Identifiable

- 12) RP submitted a complaint form with incident dates from 2004-2020, including several events in his life. The only reference to police was when someone attacked him and he stated he was on the phone with police for three days.

Summary of Investigation: Dismissed per Auditor: Other

- 13) RP complained that a hate crime complaint filed in 2016 has not been investigated and the case dismissed due to statute of limitations. RP has tried to speak with the detective and supervisor and gets nowhere. RP sent information to them recently and feels the supervisor kept information from the detective.

Summary of Investigation: Dismissed per Auditor: Timeliness, EPD had not received any recent information.

- 14) RP emailed the Auditor's Office with an unclear reference to exposing several undercovers to the crowd at yesterday's protest (possibly 6/13/20) and complaining that they illegally detained him to protect their squad and budget.

Summary of Investigation: Dismissed per Auditor: Other, no EPD contacts since May 4, 2020.

- 15) RP reported an incident from 2016 in which he feels EPD officers handled the situation incorrectly, related to a verbal altercation between RP and RP's girlfriend.

Summary of Investigation: Dismissed per Auditor: Timeliness

- 16) RP emailed the Auditor with a narrative about her life and the issues she has had with family abuse and having to fight her family for her children. RP mentioned several small cities in Oregon where these things had occurred, but did not mention Eugene or contact with EPD.

Summary of Investigation: Dismissed per Auditor: Other

- 17) RP called the Auditor to complain about a KVAL video she saw of the naked man in Eugene this week. RP stated that at the end of the KVAL clip one officer kicked the naked man and another slugged him twice. RP feels there is no need for

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EPD to be kicking and slugging a mentally disabled person they already had on the ground. He should have been put in a CAHOOTS van and been done with it.

Summary of Investigation: Dismissed per Auditor: No TV video of the incident was found; Review of body-worn video shows no evidence to support an allegation of excessive force.

- 18) RP emailed the Chief with an issue about the sale of her house and possible illegal activity listing various public figures.

Summary of Investigation: Dismissed per Auditor: No EPD contacts since 2018.

- 19) RP reported seeing EPD and other government vehicles parking on the sidewalk near the County building on 7th Avenue between Pearl and Oak. RP believes this looks bad, since the ordinary citizen is not able to do this and that 1/2 a block away is a county parking lot. RP does not need contact.

Summary of Investigation: Dismissed per Auditor: Outside Jurisdiction, preliminary investigation showed County vehicles that currently park at the location RP is reporting (not EPD).

- 20) RP emailed a concern about a trio of young people he had observed walking down a road on May 21, 2020. When RP drove back by a bit later he notice the kids were separated and sitting on the curb with two EPD officers standing over them. RP feels this may have been them being picked on for being brown. RP would like to be sure that the proper protocols and judgment were exercised in this case.

Summary of Investigation: Dismissed per Auditor after review of body-worn video.

Service Complaints:

1) RP reported a concern that when she called in a welfare check on her 3 year old son who was with his father she was given the impression the riot was more important than her emergency. The call takers told her they would get there as soon as they could. RP called various other times over the course of the evening and they still hadn't checked on her son. Finally the next morning around 0830 she called and found out that officers had checked on her son and said he was sleeping peacefully on the couch. No one ever called her back about the contact with her son. Note: Welfare Check conducted by Springfield PD at the request of an EPD Supervisor due to protests downtown.

Summary of Investigation: Dismissed: Outside Jurisdiction. Complaint indicates that it is focused on the conduct of another agency. Due to the call load at the time of the call, it was transferred to the Springfield Police Department. The auditor's office only has authority to review the conduct of Eugene Police Department employees.

2) RP was concerned about how a community member was contacted by EPD regarding an upcoming protest event.

Summary of Investigation: There is no EPD policy precluding an officer from using their personal Facebook page to reach out to a citizen regarding EPD related business. EPD recommends that one be created. EPD's attempt to reach a protest organizer was for all the right reasons but in hindsight, this probably wasn't a good idea. The involved EPD member agreed their method of contacting RP was inormal rather than formal and documented.

3) RP is upset with how an officer handled an incident on 6/3/20 in which his truck was bashed in by a guy from the drug house down the street. The guy was stopped by neighbors and the officer who responded wanted him to press charges, which RP knows would only make him a target. Then the officer said "well, you have insurance", which was an insult to him. RP also noted nothing has been done about the drug house even though they have called and called.

Summary of Investigation: RP berated the officers for approximately eight minutes while an officer attempted multiple times to redirect the conversation to the subject at hand related to the investigation of the Hit and Run. RP inquired as to the how the damage to his vehicle would be paid for and the officer suggested insurance for both RP's truck as well as the possibility of insurance for the vehicle of the offending driver. RP was told that he could call back if he changed his mind about pressing charges for Hit and Run and the officers left without further engagement. The officer did a professional job of maintaining their composure while attempting to complete their investigation and gather enough information to level an additional charge of Hit and Run against the suspect who had already been apprehended.

4) RP is concerned that her report of rape on 5/29/20 seems to be going nowhere. RP has provided a rape kit, she has bruising etc. and she has shown officers her text messages with the man in which he admits it. She stated that she is being told that it is not enough evidence.

Summary of Investigation: EPD contacted RP and discussed how her case was being handled and she was very positive in expressing her understanding of what was occurring and why things occurred the way they did. Investigator spoke with the officer who received the initial report and discussed some training points to take away from this report.

5) RP is concerned that an officer wandered into a private dance class after responding to a traffic accident in the area, looked around at safety posters near the entrance and when asked if he could be helped said "I'm just looking around," then asked if he could sign-up.

Summary of Investigation: The officer claimed to have walked into the dance studio to inquire about dance lessons while waiting for food from a local restaurant. The studio was occupied and the officer was addressed by the instructor. She told the officer that the current event was private. The officer acknowledged her and left the studio. RP was notified of the findings and appreciated the follow up.

- 6) An anonymous caller was upset that EPD was doing nothing about the street being vandalized in front of the Federal Courthouse. RP is upset that taxpayers will have to foot the bill for the repairs.

Summary of Investigation: Dismissed: Other

- 7) RP still has concerns about an incident from 2018 in which he was assaulted outside Autzen Stadium. The officer who responded told him they would follow him to the hospital to take a statement, which did not happen. It took him 2 weeks to get a hold of the officers to take his statement (they claimed they lost his number) The assailant ran, the plate number of his car was provided by a witness. They took a statement from the assault but no further follow up and closed the case a year and a 1/2 later with no prosecution.

Summary of Investigation: Dismissed: Timeliness

Policy Complaints:

- 1) Anonymous would like to remind CAHOOTS about keeping interactions from citizens confidential. A couple of years ago RP had a interaction with CAHOOTS which went well at the time. Later he heard from other people that they had been told about the incident from CAHOOTS workers. It was very hurtful at the time that his confidential information was not kept private.

Summary of Investigation: The complaint was anonymous so contact couldn't be made with complainant. No information relayed on the intake audio recording could aid in discovering the specific events in question. A synopsis of the complaint and intake recording was sent to White Bird management and asked them to handle the situation as they deem appropriate.

- 2) RP was directed to the Auditor's Office with her concern about the camping in the Washington Jefferson park. RP who lives in the area can no longer walk in her usual places and fights are breaking out at night and damage to property is beginning to happen. RP has had to put up security camera at her own expense. RP would

like to talk to someone about the situation and what the plan is.

Summary of Investigation: Investigators contacted RP and explained to her that EPD has not yet received clear direction on whether to resume enforcement of on-street and ROW camping. RP was told that the Parks officers have primary responsibility for the W-J park area, and that they would be made aware of this complaint.

- 3) RP, a concerned parent and citizen is concerned about an illegal homeless camp on the other side of his fence under a no camping sign. The camp is growing in size, with drugs in the open, vulgar language, trashing of the area and trash being thrown into his yard. RP has small children and would like to see this dealt with.

Summary of Investigation: At this time, no clear direction has come from the policy level on camping enforcement, and no suitable infrastructure exists to house the people in this location. This policy complaint is likewise closed.

Incident Reviews:

- 1) RP posted a complaint on the CET Facebook page about EPD taking enforcement action against her neighbor, when RP believed that the neighbor had been verbally attacked. Alleging that officer failed to investigate Person A, a white male, for harassment yet arrested (actually cited) Person B, a Black male, for physical harassment.

Summary of Investigation: Assigned for criminal investigative follow up on underlying case. The investigation revealed no reasonable suspicion to believe that Person A committed a bias-related crime against Person B.

- 2) During review of video evidence related to protest/riot activity in Eugene an audio recording of an EPD employee using a racial slur was identified.

Summary of Investigation: A review of available material appeared to explain the context in which the phrase was used. A group of mostly white protestors were screaming the slur as they marched near BLM protestors. The officer described the comment to his partner and

expressed surprise that the counterprotestor would use that language and condemnation at the use of the word generally.

Additional Opened Cases

Aside from the 32 complaints received and closed within the month of June, we received an additional 30 complaints in June: 5 Inquiries, 11 Service Complaints, 10 Policy Complaints, 2 Incident Reviews, and 2 Allegations of Misconduct.

Inquiries:

- 1) RP filled out a complaint form alleging her son is being ignored or not taken seriously by EPD when he tries to report being assaulted.
- 2) Anonymous reported an incident in which he felt an officer was extremely rude and intimidating with him. RP was out walking his dog near his home and came across two officers sitting in their vehicle. As he came up to them one officer got out and questioned if the dog was his, RP said yes and told the officer he would put his 8lb dog on the leash. The officer rudely commented that he was the number one complaint in the neighborhood. RP lives near the bike path with all kinds of transients and meth users around, and questions that him and his 8lb dog are the main complaint. On another date the same two officers were sitting in front of his house, which RP felt was an attempt to harass him. RP retreated back into his house not wanting a confrontation and the call center told him that the officers had not been dispatched to the area.
- 3) RP reported an incident that she observed near her home. An Apt. Complex Manager had called in a drunk person in a vehicle in their parking lot. When officers arrived, the vehicle started to leave. Then RP stated that one of the officers stated over the loud speaker "Get out of the car or we'll shoot." RP felt during these times this was a totally inappropriate and an over the top statement to make. It did not appear that any officers' lives were in danger.
- 4) RP reported filming a man being arrested and was concerned that he was not Mirandized

nor was he given a reason for the warrant he was being arrested on. RP provided video. An anonymous male also called in a concern about the same incident.

- 5) RP emailed the Chief with a concern about EPD not responding to a theft call, RP then went on to mention possible restraining order issues. No names, or addresses were provided by RP; additional information has been requested.

Service Complaints:

- 1) RP is concerned that the two times she has reported incidents with her neighbor the report says something different from what the officers tell them. One incident concerned damage to her car, the other about a report she made of her neighbor abusing his child. The officers listened to some other neighbors who are friends of RP's neighbor instead of RP.
- 2) RP is getting the runaround about not being contacted by EPD when her stolen vehicle was recovered in a different county. It was recovered and EPD was contacted. She was not notified until she received a letter from the towing company.
- 3) RP is concerned that a report he filed with an officer is inaccurate. The officer appeared to get the information he provided wrong, gave inaccurate information to the people she was calling on the phone, asked them the wrong questions, getting the wrong answers and tried to convince him the they were the answers to his questions. The officer also sent him to urgent care to get an x-ray and he was refused, because they don't take police cases. When RP told the officer, the officer appeared to not believe him. RP feels the investigation has been inadequate.
- 4) RP is upset with the investigation by an officer of the man who shot a handgun during the protest. RP was a witness to the situation and feels the officer interrupted his narrative and tried to shape his testimony of what happened by interjecting what the shooter had said. RP was then dismayed to see that the only charge filed on the man was unlawful discharge of a firearm.

- 5) RP reported a couple of trailers that were stolen the 2nd week of May. When he spoke with the officer about possibly getting surveillance video he was denied service due to "COVID" and he does not believe that excuse.
- 6) RP inquired into why a young man who crashed into her vehicle parked in front of her home was not cited for DUII, hit and run or reckless driving. A neighbor was able to see which house the young man went to, and he later admitted to them that he had drank too much, the back of her vehicle was totaled and even her insurance is questioning why no citations.
- 7) RP is concerned that EPD did not respond to her call for service about her ex-husband coming to her home when the day before she had been told by an officer and a detective that a warrant for this arrest had been filed due to alleged child abuse. RP was put on hold twice by 911 to answer other calls, and the call log the next day did not reflect an officer had even been dispatched. RP also texted the Detective and did not hear back.
- 8) RP is concerned that on two different occasions he contacted the non-emergency line and got two different answers to his question about reporting two motorhomes that are blocking a pan-handled drive to two apartments. RP feels it is a fire hazard, due to fire equipment not being able to access the property. One call taker refused to forward him to the fire marshal and another tried to send him to parking services. RP also doesn't believe any report was entered about his concern.
- 9) RP inquired into whether or not an officer can tell when an inmate is released from jail. RP would like to substantiate whether this person or (others he has given her address to) have been released. RP has a restraining order on a former tenant and needs this information. The officer she spoke with was not forth coming with the information she asked for.
- 10) RP is upset that EPD did not notify him when a vehicle stolen from his car lot was recovered. He was told by officers that he would be notified so that he could retrieve the vehicle. Instead he received a letter stating it was at a tow facility.

- 11) RP has been unable to get an officer to return his call about a hit and run driver who damaged his bumper. He has left messages various times since 6/19/20. The officer was supposed to call him back after he spoke with the driver.

Policy Complaints:

- 1) RP, a supervisor at a store, called with a concern that one of her employees biking to work was not allowed to cross the Ferry Street Bridge even though he was able to show his work ID. RP is not sure if the issue was he was on a bike, but she would like to get the word out that she needs her employees to report to work.
- 2) RP, who lives in Dexter, was upset that his phone went off every 1/2 hour on 6/1/20 keeping him awake to notify him of a curfew in Eugene. RP has a 14-hour day in front of him and wants to know how to get off of this notification list.
- 3) RP was concerned about the harassment of essential workers during the protests. His workers were turned back from certain areas and others were allowed to roam freely. Very unequal in how it was handled. RP also expressed dismay about the phone alerts about the curfew that kept waking his employees up.
- 4) RP was concerned that EPD allowed protestors to ride in vehicles without seatbelts, even standing in the back of trucks.
- 5) RP inquired into why their local business was not notified about the man on top of the parking structure who had a gun. They were not evacuated nor told to lock down and they had children in the studio at the time.
- 6) RP is concerned about all the campers in the Washington and Jefferson Park and how they are now moving out into her neighborhood.
- 7) RP is exasperated at the condition of the right of way at 1st and Jefferson, as well as what is happening in the park. RP lives in the Whitaker area and has a rental property in this area. There are now at least 15 tents lined up along the street with trash piling up. This situation needs to be taken care of, it is unfair to the Whitaker property owners and taxpayers.
- 8) RP was at a local restaurant and because she saw a couple of EPD officers without masks she went elsewhere.
- 9) This complaint was merged with a previous complaint per Police Auditor and closed.

- 10) RP inquired into why EPD trespassed protesters from the Whole Foods parking lot, which is private property. RP spoke with managers, and security personnel and was told that they did not initiate the trespass.

Incident Reviews:

- 1) Catch-all for complaints related to EPD response to demonstrations on Saturday, 5/30 and Sunday 5/31, into am hours of Monday, 6/1. Classified as Incident Review to investigate further to identify potential named employees and policy violations.
- 2) Numerous citizens contacted the Auditor's Office with the concern that EPD detained but released the man who allegedly hit a protester with their vehicle during a children's march.

Allegations of Misconduct:

- 1) An officer was deployed to assist with crowd control after a very large rally/march. The officer was equipped with a crowd control munition.
Allegations 1-4. 800 Use of Force: That Officer A used force in excess of that which is reasonably necessary under the circumstances when they deployed a crowd control munition in four separate incidents.
- 2) RP filed a complaint that an officer failed to use body cam during a stop. Per Auditor, dismiss on the camera complaint because cameras were on. However, review of the audio and video by the Auditor indicated that an officer's search of RP's fannypack was allegedly in violation of their constitutional rights and EPD policy.
Allegations:
 1. 103.5.14 Unsatisfactory Performance: That Officer A did not perform the required tasks associated with the duties of their position when they failed to oversee the actions of a recruit officer and failed to take appropriate actions to manage the scene.
 2. 322.7 Search and Seizure: That Officer A effected a seizure of RP in violation of RP's constitutional rights when the officer arrested RP based on evidence found in an improper search of personal property.

New Commendations

There were 56 commendations documented, during the month of June for a 2020 total of 179 so far. Most commendations are made through EPD. The Auditor's office accepts commendations as well.

Commendations are listed on the Police Department website at:

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

Additional Closed Cases

Aside from the 32 complaints received and closed within the month of June, we closed an additional 18 complaints: 3 Inquiries, 7 Service Complaints, 6 Policy Complaints, and 2 Allegations of Misconduct

Closed Inquiries:

- 1) RP indicated her son was stopped by officers and searched for a weapon. RP wanted to know why her juvenile son had been stopped and why she wasn't contacted. RP also indicated her son believed he was contacted because he was with two other people of color.

Summary of Investigation: Incident materials revealed School Resource Officers received dispatch information that a fight would take place with one or more of the disputants being in possession of a firearm. Video recordings showed Officers contacting five juveniles at the skate park. The juveniles matched the physical description of the suspects reported to dispatch.

An officer obtained consent to perform a 'pat down' search of each contacted person. Officers had light hearted conversation with those contacted and parted ways once it was determined the individuals were not armed or involved. Investigators left a message for RP and offered to meet with her to view the video. They have not received a call back from her and this complaint has now been closed.

- 2) RP, reported an incident in which one of their employees was approached by an officer in the Skinner City Farm and accused of trespass and littering. The officer was angry and aggressive and used a scared child to translate instead of accessing an actual translator. The person was actually in their

garden plot gardening and to a logical person it would have seemed it was not a trespass situation. It appears the employee was called in by a third party. RP would like body cam reviewed.

Summary of Investigation: The investigator attempted to arrange a review of the body worn video. The investigator was a Spanish speaker and was willing to meet with the person in the video to hear their concerns. More efforts to schedule a meeting with the RP were unsuccessful. This complaint is closed within policy, and can be re-opened at any point should new information come in. The investigator remains committed to meeting with the RP to view the video at any point. The officer was checking on the area because it is frequently vandalized.

- 3) This complaint received was linked and merged into another case per Auditor. This classified was changed to inquiry and administratively closed.

Summary of Investigation: See above.

Closed Service Complaints:

- 1) RP called the non-emergency number to report a transient had set up a major campsite in an outdoor alcove at her work. About an hour after she called, her landlord was able to get the transient to clear out. About that time, they noticed a police officer drive by the building along 12th Avenue. She called the non-emergency number back a little later to notify them an officer was no longer needed. The dispatcher said the officer had come by my building and didn't see anyone. The officer didn't bother to stop and ask about the transient nor to check if he was still here. She thought this was an inadequate response to her concern.

Summary of Investigation: A supervisor contacted RP and explained to her that they would contact the officer – and their entire team– and remind them that the community does have a hand in how they police the community, and taking the time for a quick phone call or visit with the complainant does matter. RP was pleased with that.

- 2) RP reported being unhappy with the officers who came for her call for a civil stand by when a roommate was moving out of her house and taking her belongings.

Summary of Investigation: RP was informed on multiple occasions that this was a civil issue between the landlord and tenant. RP claimed it was theft and again officers explained that without proper documentation (receipts or bill of sale, etc.) it was civil issue and police would not be involved. The officers stood by to observe no additional disputes would happen until the roommate left the property in his U-Haul. The investigation determined all complaints from RP were unfounded.

- 3) RP reported trying to get EPD to deal with a homeless camp on the railroad property that backs up to the storage units he manages on Hwy 99. (Permission has already been given by the railroad.) He and neighbors have called at least 3 times in the last week and are told that they will get right on it. No action has happened to date.

Summary of Investigation: The officers in this instance were operating under the impression that due to the Covid-19 pandemic, EPD was not enforcing camping issues during this time. There was a misunderstanding amongst numerous officers regarding the enforcement procedures. These issues have since been clarified by Command. The investigator attempted to call RP numerous times and left a message which included their phone number for a return call. Still have not received return call from RP.

- 4) RP is concerned about an ongoing issue at her apartment complex in which a mentally ill man who lives next door has been committing illegal actions and EPD ignores them.

Summary of Investigation: After speaking with RP and explaining to her all the actions EPD officers took against her neighbor, she told EPD she no longer believes EPD was negligent and was happy with the conversation they had. RP was not aware of all the information provided and was under the impression that officers did nothing each time.

5) RP reported an incident in which he called for help for his mentally ill daughter who was walking down a road. Cahoots tried to engage with her, but she ignored them, she then got into her mother's car and jumped out going 5 to 10 miles an hour. The officers that responded would not transport her to the Behavioral Health Unit, telling him he should transport her himself, even when he commented a police vehicle would be safer. His daughter once again got in her mom's car and jumped out again at 20 mph, this time resulting in paramedics and an ambulance response. RP would like to know why a person jumping out of a car with a known mental health issue is not a danger to themselves and didn't warrant intervention by the officers.

Summary of Investigation: A Lt. reviewed all relevant video and made contact with RP. The Lt. explained Oregon Revised Statute 426.228 that gives police officers the authority to take a person into custody for a non-criminal matter. RP was told that officers are required to observe signs that the person is a danger to themselves or others. The signs exhibited by RP's daughter on that date and time, did not reach the bar in the officer's view. RP wanted their daughter to get immediate help, but she did not meet the meet the minimum threshold according to state law. RP could not grasp that fact at that moment in time but understands now.

6) RP reported a domestic violence issue across the street from his home and specifically asked the call taker to not let the people involved know who had called in. RP learned from his mother that after the officers spoke with the people across the street, they came straight over to his home to speak to him, basically telegraphing to the people who had called.

Summary of Investigation: RP was assured that it is EPD practice not to put caller's address in as the location of the incident, but to use a 100-block if the actual address is not known, and that supervisors would be discussing that with the call taker. RP was advised that in the future if he knows the neighbor's address to give that to the call taker, and that he is welcome to be anonymous, but leave

his phone number if the officers have additional questions. He was very appreciative of that option.

7) RP expressed concern about the investigation into her daughter's death. RP feels the officer involved led her on and fed her lies and misinformation. RP was led to believe there would be manslaughter charges and just learned from the DA that the case had been closed listing an overdose as the cause of death.

Summary of Investigation: Investigators made contact with RP, and she stated she had been frustrated with the lack of a criminal charge being filed regarding her daughter's death when she made her complaint. She stated she has had several conversations with the detective assigned to the case and now understands what is happening in the case. She asked for the service complaint to be closed and stated she has been satisfied with the detective's investigation into the case.

Closed Policy Complaints:

1) RP expressed a concern that an EPD officer who gave her a citation on Friday was not wearing a mask. RP's feels it was unsafe and would like the policy looked at. RP does not need contact.

Summary of Investigation: Chief Skinner has continually evaluated the pros and cons of requiring officers to wear face coverings. As of this writing, EPD shall wear masks except in extenuating circumstances.

2) RP was forwarded to the Auditor's office to voice his concern about the homeless camps along the River.

Summary of Investigation: RP was contacted via phone and advised of the COE's current protocol during the current COVID19 pandemic. RP was advised of EPD and Parks and Open Spaces current status and operations.

3) RP has a concern that EPD is dismissing his security guards and not allowing them to prosecute for trespassing, even when the same individuals continue to trespass at the same locations. They are being told, "We're not doing

that right now." The trespassers are being told they are free to go.

Summary of Investigation: Due to the Covid-19 pandemic, officers received some preliminary instruction regarding not enforcing camping ordinances in certain areas. Those restrictions have since been lifted or modified and the message had not been properly clarified for the officers in this instance. RP was assured that EPD would make sure their officers were aware that they are enforcing trespassing complainants from property owners and RP/s. RP appreciated the conversation and said he would pass on the information to his employees to make sure we were all operating with the same information and expectations for our community.

- 4) RP emailed a concern to the Auditor's Office that officers are not wearing masks and did not wear masks when they came to his home.

Summary of Investigation: Chief Skinner has continually evaluated the pros and cons of requiring officers to wear face coverings. They are now required to wear masks.

- 5) RP sent the below email to the Auditor: I am a retired public health physician. Public safety employees must all be wearing face masks. The CDC recommends face coverings. Other jurisdictions are wearing masks. The point of the mask is to protect vulnerable folks.

Summary of Investigation: Investigators reached out to RP with contact information so they could discuss this issue. If RP makes contact again, investigators will explain the position of the Chief, and let her know that this issue is being evaluated regularly as the pandemic continues.

- 6) RP is concerned about the prohibited camping he is seeing around town, especially at the West 11th and Beltline area where the creek is being used as a bathroom by the campers. RP noted concerns with the ground water and the creek which feeds into Fern Ridge which people use for recreation. RP feels the issue is not being addressed and laws are being applied arbitrarily.

Summary of Investigation: Investigators contacted RP and let him know that the COVID-19 guidance given by the CDC, the Lane County EOC, and the City EOC all dictated leaving campers in place wherever possible. RP pointed out the irony of having a person camping with impunity below a "no camping" sign, but understood the effort to respond to the pandemic.

Allegations of Misconduct:

- 1) 800 Use of Force: It is alleged that an officer's use of force (elbow, hand and arm strikes to the head) during the arrest of a subject for Disorderly Conduct and Criminal Trespass was outside policy.

Summary of Investigation: Based on the continued ongoing resistance of the suspect and the ineffectiveness of another officer's taser deployments, the involved officer was within policy with their use of force.

- 2) 1203.7 Body-Worn Video: That a Sgt. muted their microphone in violation of policy during the contact and investigation of a use of force (Taser).

Summary of Investigation: Policy 1203.7.4 covering the mute function of the BWV states: The mute function may only be utilized to mute conversations between law enforcement personnel when such discussions involve strategy, tactics, or coaching/counseling. Video recordings should not be terminated. Turn on the audio recording function back on as soon as practicable. Any time the mute function is utilized, officers are required to verbalize the purpose for the mute prior to activating the mute. While the Sgt. intended to have a conversation of this nature, they did not specify the reason for the muting function prior to activation of the mute. In addition, once those types of conversations are completed the camera should have been unmuted. This did not occur, and additional conversation took place and should have captured the audio. The Sgt. admitted to getting caught up in what they were doing and forgetting to unmute the camera and in doing so inadvertently violated policy 1203.7 covering the muting expectation of the body worn camera system.

Recommend allegation be sustained.

News Items

FBI releases 2019 participation data for the National Use-of-Force Data Collection

<https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2019-participation-data-for-the-national-use-of-force-data-collection>

Civilian Review Boards Gain Popularity Among Police Reformers. How Effective Are They?

<https://radio.wosu.org/post/civilian-review-boards-gain-popularity-among-police-reformers-how-effective-are-they#stream/0>

Does every emergency call require police response?

<https://www.governing.com/next/Does-Every-Emergency-Call-Require-Police-Response.html>

About Us

The Office of the Police Auditor operates independently. We report directly to, and are funded by, the Eugene City Council. We are an independent, civilian entity Responsible for civilian oversight of the Eugene Police Department; neither our funding nor management overlap with EPD.

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Coming Up

Due to the public health concerns, we are not accepting walk-ins at this time. Staff from our office continue to intake complaints and commendations from the public. Please continue to [contact our office](#) by:

- Visiting our website at www.eugene-or.gov/PoliceAuditor
- Calling us at 541-682-5016
- Emailing us: policeauditor@eugene-or.gov
- Filling out our complaint form located to the right of our door and placing through the mail slot

In addition, we will be holding our next Civilian Review Board meeting virtually on August 18th via Zoom. Please follow our social media pages for more information on how to access the meeting and provide public comment.