

# POLICE AUDITOR MONTHLY UPDATE

## New Complaints and Commendations Overview:

34 complaints opened from  
September 1 to September  
30:

- 9 Service Complaints
- 6 Inquiries
- 11 Policy Complaints
- 5 Incident Reviews
- 3 Allegations of Misconduct

32 Commendations were  
received during this period.



## Highlights

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## New Complaints

We opened 34 complaints from September 1 to September 31, 2020: 6 Inquiries, 9 Service Complaints, 11 Policy Complaints, 5 Incident Reviews, and 3 Allegations of Misconduct; for a total of 313 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 September

Within the month of September, we opened and closed 8 complaints: 1 Inquiry, and 7 Policy Complaints.

### Inquiry:

- 1) Various allegations without specific time frames alleging criminal and administrative misconduct by officers. Complainant was unable to adequately describe events in a clear manner.

**Summary of Investigation:** Dismissed per Auditor – timeliness and other.

### Policy Complaints:

- 1) RP is upset that officers are not abiding by Federal law and are harassing him for where he is parking his RV. RP believes that a law signed three weeks ago by a federal judge allows him to not be bothered by officers during COVID19. RP wants them to stop. RP noted he did not need contact.

**Summary of Investigation:** RP is mistaken in his understanding of the law based on consultation with the City Attorney, and based on differences in fact scenarios in the case he is referencing and his current situation. Based on RP's wishes and his consistently hostile

City of Eugene



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escalation following law enforcement contact, the investigator elected not to contact him.

- 2) RP is concerned about the policy change in which EPD is no longer responding to prohibited camping issues.

**Summary of Investigation:** An investigator explained the changes in response from EPD to Parking Services, and the need to identify criminal behaviors being observed when reporting. RP clearly articulated trespass, drug use, and criminal mischief in previous complaints, but wrapped them into reports of "...a camp in the alley behind" her house. RP was told how to report car campers on the Eugene Parking Services website. RP was appreciative of the information.

- 3) RP is concerned after learning that EPD will no longer dispatch to Prohibited Camping issues.

**Summary of Investigation:** When the investigator made contact, RP explained that he was satisfied at this time, since Parks employees had mitigated the camping issue he was attempting to call police about.

- 4) RP is concerned about the policy of EPD no longer addressing prohibited camping issues.

**Summary of Investigation:** An investigator explained the changes in response from EPD to Parking Services, and the need to identify criminal behaviors being observed when reporting. RP was happy to hear about the shift in response, as well as the explanation of EPD's goal to free up officer time to patrol in neighborhoods. RP was told how to report car campers on the Eugene Parking Services website.

- 5) RP contacted the Auditor's Office with a concern about the new policy of not dispatching for prohibited camping.

**Summary of Investigation:** An investigator explained the changes in response from EPD to Parking Services, as well as PRO's and Park Ambassadors' response in the nearby parks. RP was happy to hear about the shift in response, as well as the goal to free up officer time to patrol in neighborhoods.

- 6) RP is concerned about the wrong direction EPD is taking with the incident of the car that was defaced and the tires slashed. RP feels that there was nothing racial about the graffiti on the vehicle as it was against an organization (BLM) and not an individual person. RP also believes the air was let out of the tires and not slashed. The many times in the past when he has had thefts, he fills out a form, there is no investigation, no officer dispatched. In this incident officers were sent out to talk to neighbors, the chief is conferring with the mayor, a special investigation started. RP wonders why this incident is getting special attention.

**Summary of Investigation:** The investigator explained to RP that EPD responds to all reports of bias crimes, and that this case was no different. The officer who responded, took photos of the graffiti, deflated tires, and checked with neighbors to see if anyone had seen anything; these were standard investigative steps for a report of a bias crime. RP appreciated the additional information, and no longer seemed to be upset about the situation after the discussion.

- 7) RP expressed concern that EPD officers tried to reach her on her phone at midnight.

**Summary of Investigation:** RP expressed that EPD needed to update their technology with so many scam calls happening. RP was assured her concerns would be shared with the chain of command. The supervisor also explained some of the reasons the department phones have been blocked for many years. RP stated she understood the reasoning, but expressed that times have changed, and the department should adapt.

## Additional Opened Cases

Aside from the 8 complaints received and closed within the month of September, we received an additional 26 complaints in September: 5 Inquiries, 9 Service Complaints, 4 Policy Complaints, 5 Incident Reviews, and 3 Allegations of Misconduct.

### **Inquiries:**

- 1) RP reported that their ex-spouse has been filing false welfare type checks on them leading to police having to respond to their home.
  - 2) RP emailed the Chief with a concern about not getting a response from EPD when calling in car burglaries in their neighborhood.
  - 3) RP is concerned that when a person calls the x5111 number there are no prompts for a person who is looking to have Cahoots dispatched. RP is a newer Eugene resident and was trying to have Cahoots dispatched for help for a person on the street. Going all the way through the phone tree, he found nothing that indicated that he could get Cahoots via this number. RP feels this is a simple fix and would like to speak to someone about this concern.
  - 4) RP reported that when RP was arrested in front of EPD headquarters for trespass they were not read their Miranda rights, that the handcuffs were applied too tightly, breaking the skin, and the officer said they were resisting arrest, even though no resisting occurred.
  - 5) RP reported an incident in which officers accused her of trespassing when she was on her own porch. Dispatch told her no one had made a call about trespassing. RP then incoherently rambled on about the times when she called for the cops and they wouldn't come and then calling her by the wrong name, RP feels unsafe and that she is being retaliated against for calling the auditor's office.
- 2) RP is concerned that an officer who took their assault report has not yet filed charges against the suspect.
  - 3) RP was concerned about an officer who was rude and acted like a jerk on the phone.
  - 4) RP was concerned that when he tried to report a person who threatened to assault them, the officer who responded said it was not a chargeable offense. The suspect broke the 6th ordinance and RP would like to press charges. RP also noted that the officer was not wearing a mask.
  - 5) RP reported an EPD vehicle in the Blair and 7th area running red lights without lights or sirens going.
  - 6) RP expressed frustration with the Evidence Control Division at EPD, trying to get belongings back.
  - 7) RP is concerned that EPD officers who have responded to their call for service for violation of a restraining order seem to be trying to change the order.
  - 8) RP reported an officer who during a traffic stop had an abrupt and rude demeanor. The officer also was not wearing a mask and reached into their vehicle to grab insurance information without even asking.
  - 9) Auditor initiated Incident Review and request for Use of Force review, specifically with respect to de-escalation and downtown issues.

### **Service Complaints:**

- 1) RP is concerned after reviewing an officer's body cam with his attorney about an incident in March 2020 in which he was cited for harassment. The incident was a mutual dispute between RP and 3 others. Even though the stories matched and the incident should have been deemed a wash, the officer asked the other parties what they would like to see happen and then gave them options, one of which was for RP to be cited.



### **Policy Complaints:**

- 1) RP reported a concern about the new EPD policy of not dispatching for Prohibited Camping issues.
- 2) RP contacted the Auditor's Office with a concern about the change in policy about EPD responding to public safety issues surrounding prohibited camping.

- 3) RP reported frustration with EPD's policy of not responding to prohibited camping issues.
- 4) RP is frustrated about the Policy change of not dispatching for prohibited camping issues.

**Incident Reviews:**

- 1) RP reported a concern about an EPD officer who has been unhelpful with issues regarding trespassing around their shop downtown.
- 2) It appeared that an officer did not activate their BWV when contacting trespassing occupants of a residence. 1) POM 1203.7.1 Body Worn Video: That an officer did not activate their BWV prior to contacting trespassers, in violation of policy.
- 3) RP is concerned that each time they report a violation of their restraining order against their ex, the ex is never arrested.
- 4) Incident Review initiated by Auditor requesting review of a use of force.
- 5) RP reported that after he was released from jail after being arrested, his wallet was not returned to him.

**Allegation of Misconduct:**

- 1) Review of BWV recordings included review of an officer's directions to officers on crowd control. 103.4.1 Judgment: That the officer's directions to their team illustrated poor judgment, in violation of policy. Allegations: Performance - 103.4.1 Judgment
- 2) Officers responded to a Violation of a Stalking Order, arrested the person; however, they did not validate the existence of the stalking order. Allegations: Constitutional Rights – 300 Arrests Performance – 103.5.14 Unsatisfactory Performance
- 3) Internally reported complaint that an officer mishandled a case involving menacing with a weapon, including under-charging the involved person, improperly lodging the involved firearm, and improperly shutting off body-worn camera before the contact was finished. Allegations: 1. 103.5.12 Duty to Know and Enforce Laws: 2. 103.4.1 Judgment: 3. 103.4.1 Judgment: 4. 1203.7.3 Body-Worn Video: 5. 103.4.3 Integrity.

## New Commendations

There were 32 commendations documented, during the month of September for a 2020 total of 289 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 8 complaints received and closed within the month of September, we closed an additional 29 complaints: 8 Inquiries, 11 Service Complaints, 4 Policy Complaints, 2 Incident Reviews, and 4 Allegations of Misconduct.

**Closed Inquiries:**

- 1) RP inquired into whether EPD officers have been surveilling his home and taking pictures of license plates of his grandmother and girlfriend. A man claiming to be a private investigator has called his grandmother asking questions about one of his friends who is in jail. Neither RP nor his family know anything about the issue.

**Summary of Investigation:** The investigator and the deputy police auditor discussed the details of the Inquiry. They agreed there is no reason to look further into the inquiry and that it could be closed.

- 2) RP requested to speak with a supervisor regarding a complaint. He said his vehicle was towed, and when he recovered his vehicle from impound, there was significant damage to the interior and exterior. He said he felt the exterior damage was from the tow company, but the tow company denied damaging the interior. RP later sent photographs of the damage. The intake phone conversation (with an EPD supervisor) was recorded via body camera. RP was provided Risk Services' phone number and advised his complaint would be documented and looked into.

**Summary of Investigation:** The photos provided by RP show damage to his console and side panels. They also show staining by an unknown substance on one of the seats. None of this removal or damage was perpetrated by EPD personnel at the scene. The video

documentation is very clear from the BWC footage and ICV.

- 3) An inquiry to examine performance concerns that a supervisor did not perform the tasks associated with their job description when they failed to retreat as directed and instead remained in position and deployed an OC fogger.

**Summary of Investigation:** A conversation was had with the officer about expectations moving forward.

- 4) RP reported an incident in which he heard someone ringing his door bell and pounding on the door and windows of his home. RP tried to ignore it but eventually looked out his window to find a couple of officers who claimed to be doing a welfare check. When he peeked down the stairs of his home two officers were standing at the open door of his home. When he went down to the door he was served papers. The officers had used a ruse of a welfare check to get him to come to the door. They never checked on his welfare and were rude.

**Summary of Investigation:** RP is involved in a neighborhood dispute with many other nearby neighbors. The officers knocked on RP's pedestrian door and the door opened up, but they did not make entry. They stood by for RP to come out. They saw RP inside his residence and communicated and served him and never made entry into his residence. Body worn camera video shows they remained outside the front door in silence until officers physically saw RP, explained the requirements for the temporary stalking order and left the documents at RP's door.

- 5) Inquiry regarding an officer allegedly striking a male in the face with a PepperBall.

**Summary of Investigation:** The officer advised that they did remember deploying pepperball in that area. The officer was surprised someone had claimed to be shot in the face as they were confident they never aimed any higher than the waistline while firing pepperballs. The officer claimed they never intentionally fired at the male's face and had no knowledge of anyone being struck in the face by a pepperball.

- 6) RP inquired into when her vehicle, which was towed by EPD after a friend was in an accident with it, can be released from evidence. The accident happened on in early July and she was allowed to retrieve personal belongings, but her insurance will not total the vehicle until it is released. In the meantime, she is making payments on it and the officer they have been working with will not give a definite about when it might be released.

**Summary of Investigation:** A City of Eugene attorney advised the vehicle could be released as criminal charges would not be pursued. The officers had already cited RP for allowing the unlawful operation of her vehicle. A supervisor spoke with RP and informed her the vehicle was able to be released and that an officer would email her instructions how to get the car.

- 7) RP alleged an officer raped her while on a 911 call.

**Summary of Investigation:** Based upon the discussion of the investigator with RP, it appears RP uses the terms sexual abuse and sexual assault to refer to any occasion where someone touches her without her permission because she is a female. RP denied that she told the call taker the officer had raped her and when questioned further referred to her use and definitions of the words. This complaint is considered closed.

- 8) RP called with a concern that when she called in about a family dispute with her brother over him possibly putting a hit out on her husband, the officers turned it into a domestic violence arrest on her husband. RP did not want to press charges against her husband and felt her rights had been violated.

**Summary of Investigation:** Preliminary investigation of the complaint indicates that it is focused on the conduct of another agency. Dismissed per Auditor - Outside Jurisdiction

### **Closed Service Complaints:**

- 1) RPs reported an incident in which officers were called to deal with disorderly neighbors, possibly related to domestic violence. One of the intoxicated people pulled a gun on neighbors and brandished it at them. Both RPs

were upset with how EPD officers who responded handled the incident. Not speaking to all the witnesses, letting the suspects go because he claimed it was a BB gun. Then the officers allowed the intoxicated group to drive away. One RP also noted that when he tried to get officer's names, he was told they didn't have cards and they did not verbally provide them.

**Summary of Investigation:** Multiple people interviewed all reported slightly differing events, including what was said, where people were located, and the description of the firearm. The officer was unable to establish probable cause for menacing during the event based on the interviews completed. After review of the body-worn camera, the investigator could not detect any signs of impairment from the involved parties. Based on these officer's training, there was nothing to support the complaint that officers allowed an impaired person to drive away. Body-worn camera also showed the officer did provide their last name and badge number when requested. Officers on-scene completed a thorough investigation and their actions were within policy.

2) RP inquired about an EPD incident on his street, and his request for information about the incident.

**Summary of Investigation:** No record of RP's request was found to exist (i.e. no emails, phone calls, faxes, requests in writing, or as a record within the public records request log). RP was emailed with the following: "In order to release information, we need requests in writing. The Records unit was unable to find your request for information. Can you tell us how you contacted EPD (i.e. phone, fax, in-person)? RP replied, "Unacceptable by any measure of public service. I will never request clarification from EPD again." No further contact with RP was attempted.

3) Concern about the apparent lack of respect during a discussion between officers referencing a person being struck with a 40 mm.

**Summary of Investigation:** After review of the BWC both officers were spoken to by a supervisor. The supervisor advised them regarding being cautious with what they are saying as conversations can often be taken out of context. Based upon the review the supervisor did not find any policy, procedure or law broken.

4) RP is concerned that EPD officers did not contact her daughter (the custodial parent) when they were dispatched to an attempted suicide by her daughter's ex-husband's current wife. RP and her daughter found out about the issue from the children days later and are concerned that they were in danger and were not contacted.

**Summary of Investigation:** The call for service involved a female who was suicidal and was requesting a ride to the hospital. The officer arranged for CAHOOTS to transport the adult female and stood-by until that was completed. There were several juveniles present. Some were the biological children of the involved, adult female, and others were the biological children of the husband of the involved female. The officer did not consider contacting RP (children's biological mother) as the father was appropriate, given the circumstances, not the subject of the call for service and there was no risk or danger to the children.

5) RP is concerned about the arrest of a homeless man who sleeps (with permission) on the porch of a business next door to her home. Several officers showed up to arrest the man in a manner that, to RP and her neighbors, was quite rough. When they tried to get information from an officer, they were told to get back, and that they couldn't talk with them right now. After the arrest, the officer just left without an explanation, leaving RP and the neighbors traumatized about what had just happened. RP indicated that a neighbor had video of the incident.

**Summary of Investigation:** Officers were dispatched for a disorderly trespasser who was

yelling. Dispatch advised four callers were reporting a subject was hitting the front door of the location while screaming about someone dying. Officers observed an open container and confirmed the location had a valid trespass letter on file. Officers also observed an open knife sheath on the person's hip. An officer began speaking with the subject, who was immediately confrontational. RP initially expressed her concern for the subject's arrest and the use of the hobble. During a supervisor's conversation with RP, she was informed that the subject has been arrested by EPD numerous times and had multiple caution alerts for threatening to kill police officers and weapons cautions. The supervisor explained the danger of contacting intoxicated subjects with mental health issues and the difficulty in reasoning with intoxicated subjects in crisis. The supervisor also explained the officer's use of force options and when officers would've been justified to use the less lethal options they presented to the subject. At the conclusion of the conversation RP was thankful for the EPD response and for taking the time to explain the dangerous situation and actions taken by the officers.

- 6) RP reported an incident from March 2020 in which a newer officer took a damage report on her vehicle. RP's concern is that if the insurance had gone with what the officer had written, she would have been out thousands of dollars due to the report being inadequate. RP feels this officer needs more training on report training.

**Summary of Investigation:** Dismissed per Auditor; timeliness

- 7) RP is upset that a couple of officers rang her doorbell at 3:30am inquiring about a vehicle theft involving someone who may have lived in her home months ago. The officers did not have a vehicle out front making it hard to know if they were even real officers. Once out at their car the officers were yelling and mocking RP about her reaction to the incident. The event was scary, rude and extremely aggravating.

**Summary of Investigation:** Officers responded to the last known address of the suspect. They contacted RP and apologized for the hour as they spoke with her. Officers remained professional after RP began berating them. Officers again apologized for the hour and began to leave. During the contact both officers were professional in their demeanor and the manner in which they spoke with RP. The investigator did not witness or observe either officer laugh at RP. Multiple attempts to make contact with RP were unsuccessful.

- 8) RP has reported an ongoing issue with a neighbor making loud noise with parties and public drunkenness at all hours of the day and night. Regardless of the many times RP has called in about the issue, or the details RP provides to dispatch, to RP's knowledge no fine or citation has ever been given to these offenders.

**Summary of Investigation:** The sound coming from this address has not been unreasonable when officers arrive on scene or are dispatched usually at a later hour. This is a lower priority call and most of the time officers arrive hours after the original call comes in. For officers to take criminal action, they must observe or hear the crime occurring themselves. The investigator reached out to RP and she informed that she has moved out of the area and no longer has to deal with this issue. She was pleasant to speak with and did not have any additional complaints or concerns moving forward.

- 9) RP believes there is a miscommunication between officers and the Saturday Market permit people which is leading to him being harassed by officers and made to move. RP was given a warning by officer to move from near Lucky's on Olive where he was selling. What is on his paperwork and what is on the internet is different, but no one answers when he tries to have the Saturday Market back him up, and officers didn't believe him that he should be able to sell at this spot.

**Summary of Investigation:** Although the complainant indicated to the police officers present he had a vending permit, a review of all the issued permits dated back to 2019 indicated he does not

have a valid vending permit on file with the City of Eugene. All issued vending permits expire 1 year from the issuing date. The complainant had multiple tables erected with displayed products for sale on the sidewalk north of W Broadway and Olive Street. The complainant also failed to produce his vending permit when asked to do so by an officer. The officer was professional with the complainant and gave the complainant multiple warnings for several violations at the location. The officer did not make the complainant remove his wares but asked him not to set up at the location in the future. The officer clearly explained to the complainant where the authorized sites were located and where he could legally conduct his commercial pursuit with valid permit both with and without a table within the Downtown Activity Zone. The complainant refused to accept the information and ultimately walked away.

10) RP is upset that when two officers responded to her call for service about a homeless woman who has been wailing at the top of her lungs for 4 days near her home, they flipped the issue on to her. RP feels she has a valid complaint and would have liked to have action against the noise ordinance she was reporting. As far as RP knows, no enforcement action was taken.

**Summary of Investigation:** RP gave the address of the police contact with the homeless person. She reported this to be a residence that had been shuttered by COE Code Compliance and posted with No Trespassing signs. She was upset with "the city's" response to people being on the property even though it is posted. She is very upset with Eugene city council direction or lack thereof to the Police Department about how the homelessness issue is being handled. She clarified she had no problem with the officers and how the call was handled. She is very unhappy with the City of Eugene policies regarding homelessness. RP stated she believed that homeless people are given more rights than taxpaying homeowners.

11) A supervisor spoke with RP, who was concerned about how their call for service was handled when they were assaulted by a customer while at work. RP was concerned that

the call taker seemed more focused on whether RP wanted to press charges rather than just sending officers. The supervisor reviewed the incident and spoke with the involved employee.

**Summary of Investigation:** A supervisor made contact with RP and explained the incident and EPD's policy of not responding to crimes where the victim does not want to prosecute. The supervisor went on to explain that another reason police respond – disorderly behavior – was removed once the suspect left. The complainant was advised the call taker was a newer employee who may not realize this nuance, and that someone would be meeting with them to discuss using different questioning to ferret this out next time.

**Closed Policy Complaints:**

1) RP inquired with New Hope Christian College about their response to a supposed protest over the cross on their property. The pastor explained to her via email that they had conferred with EPD and had been told to hire private security. RP was concerned that this advice led to hundreds of people on the New Hope property, many with assault rifles, and including a white supremacy organization. RP is concerned about the safety issue that this caused to the area which is next to a park full of children.

**Summary of Investigation:** RP told the investigator she was upset that a white supremacist group was in her neighborhood the night of the incident. She has since spoke with a City Councilor who told her the Eugene Police Department had no involvement in the situation. RP said her issue is with New Hope College and not with the Eugene Police Department.

2) RP expressed concern that a young woman had been lured to police headquarters and arrested for rioting. RP is opposed to this type of police action and would like this investigated.

**Summary of Investigation:** There was a great deal of evidence that supported strong probable cause to arrest the individual for criminal activity

associated to a riot. The female was not arrested at Police Headquarters, she was arrested outside of her own home. RP was appreciative of the information. She was satisfied with the investigator telling her there was a great deal of evidence that supported the arrest.

- 3) RP emailed with concerns about EPD charging people with incidents related to the protests, and more specifically that EPD had put this information on their Facebook page.

**Summary of Investigation:** The complainant's concerns and the news media policy were reviewed. Protesting is free speech protected by the constitution and EPD will not cite or arrest people for protesting. The riots that have occurred are differentiated from protests and rallies, as there have been criminal acts committed during these. The news media and social media are covering and following information about the riots and they have become a matter of public interest.

- 4) RP is concerned that the ORS that prohibits camping in the high-water line along the river in Eugene is not being enforced. There is a small piece of property owned by ODOT on the bike path near Valley River Inn that is full of tents and trash. RP has complained about this area in the past, but it is still occurring.

**Summary of Investigation:** A supervisor spoke with RP over the phone and told her that area is ODOT property. RP was advised that the COE is actively working on obtaining an intergovernmental agreement with ODOT to address the camping. She stated she understood and hoped the agreement would be approved soon.

#### **Closed Incident Reviews:**

- 1) An incident review to examine the use of body worn cameras to determine if policy was followed; may be reclassified to allegations against specific employees of violation of Body-Worn Camera policy.

**Summary of Investigation:** Although some officers have take-home vehicles, they leave their BWV cameras at EPD Headquarters so the videos can be uploaded and the system's batteries

charged. Because this officer had been off-duty and responded to the emergency from their home, it would not be expected that they would take extra time to stop by HQ to pick up their BWV before arriving at the call for assistance. This additional information was relayed to the Police Auditor, who agreed the allegation against the officer for failing to use their BWV under the circumstances could be dismissed.

- 2) EPD received an email regarding EPD's treatment of an inmate who alleged that she was trying to report her rape when she was arrested by EPD for disorderly conduct.

**Summary of Investigation:** Due to the individual's erratic behavior and based on information gathered from the complainant, the officer decided to place the subject under arrest for Disorderly Conduct. While on the way to the jail, the subject alleged that she had been sexually assaulted the night before. As they got closer to the jail, she alleged that she was raped just prior to being contacted by the police and requested to go to the hospital for an examination. This situation was complicated, but no policy was violated. The situation could have been avoided by simply taking the subject to the hospital initially but the investigator understood why the decision was made not to transport her there initially.

#### **Closed Allegations of Misconduct:**

- 1) Allegation: 103.5.19 Neglect of Duty: It is alleged that an EPD staff member was sleeping on duty in violation of policy.

**Summary of Investigation: Performance - 103.5.19 Neglect of Duty- Sustained.** During their administrative interview, the staff member advised they had no recollection of the incident, and mentioned a medical condition that may have contributed to the behavior. When asked to describe their understanding regarding the rules and expectations of EPD's policy regarding "Neglect of Duty," specifically the portion pertaining to sleeping while on duty, their statement made clear that they understood expectations."

- 2) 103.5.14 Unsatisfactory Performance: It is alleged that an employee failed to dispatch a

patrol officer to a dog bite/vicious dog incident when an Animal Welfare Officer was unavailable.

**Summary of Investigation:** The determination of whether or not a dog is a potentially dangerous dog does not depend on the presence of a willing victim; it is a determination made solely based on the behavior of the dog. In this case, the extent of the injuries caused by the dog was apparent, as were the circumstances under which the bite occurred. The employee did not display adequate knowledge of the law, and did not perform to the standard expected for their position. This **allegation was sustained.**

- 3) 1. 103.5.14 Unsatisfactory Performance: It is alleged that an employee did not meet the standard for information gathering on emergency calls when handling an emergency 911 call of a reported death.
2. 103.5.14 Unsatisfactory Performance: It is alleged that an employee did not meet the standard for call control and caller management when handling an emergency 911 call of a reported death.
3. 103.5.14 Unsatisfactory Performance: It is alleged that an employee transferred an emergency 911 call of a reported death to the wrong dispatch agency, resulting in a delay in notifying the correct agency of jurisdiction of a possibly suspicious death.

**Summary of Investigation:** The investigation included an interview of the involved employee, together with a review of other police records. The investigation revealed that the call taker failed to triage the call and gather appropriate information, as per policy. The investigation also identified that the call taker did not meet the standard for call control and call management as it related to this incident. The investigation further revealed that the call taker transferred the emergency call to the wrong dispatch agency, resulting in a delay in notifying the correct agency of jurisdiction of a possible suspicious death. Therefore, the **Unsatisfactory Performance allegations have been adjudicated as Sustained.** Appropriate corrective action has been taken.

- 4) Allegation: 103.5.14 Unsatisfactory Performance - It is alleged that a call taker failed to perform the required tasks and duties of their position by not dispatching emergency medical services to a report of a person experiencing chest pains.

**Summary of Investigation: Performance - 103.5.14 Unsatisfactory Performance-Sustained.** During their administrative interview, the call taker admitted they believed they had violated the "Unsatisfactory Performance" policy when they failed to sufficiently hold the caller on the line to obtain additional information. The call taker acknowledged that they'd received sufficient information to indicate the patient may be in medical distress, and that they'd failed to ensure that the appropriate help reached him.

## News Items

### **Portland places new restrictions on federally deputized police officers**

<https://www.opb.org/article/2020/10/28/portland-police-federal-deputy/>

### **New York Times: Police pin a rise in murders on an unusual suspect: Covid**

<https://www.nytimes.com/2020/10/29/us/coronavirus-murders.html>

### **Washington Post: Editorial: Another disturbing shooting of a Black man shows how desperately police need reform**

[https://www.washingtonpost.com/opinions/another-disturbing-shooting-of-a-black-man-shows-how-desperately-police-need-reform/2020/10/28/3bf43926-1942-11eb-aeec-b93bcc29a01b\\_story.html](https://www.washingtonpost.com/opinions/another-disturbing-shooting-of-a-black-man-shows-how-desperately-police-need-reform/2020/10/28/3bf43926-1942-11eb-aeec-b93bcc29a01b_story.html)

### **Baltimore County launches interactive policing data dashboard**

<https://www.wbaltv.com/article/baltimore-county-interactive-policing-data-dashboard/34162331#>

### **With anger at police high, officers face greater danger**

<https://abcnews.go.com/US/wireStory/anger-police-high-officers-face-greater-danger-73277330>

## 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](http://www.eugene-or.gov/PoliceAuditor)
- Calling us at 541-682-5016
- Emailing us: [policeauditor@eugene-or.gov](mailto: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 via Zoom. Please follow our social media pages for more information on how to access the meeting and provide public comment.

## 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.

### City of Eugene Office of the Police Auditor

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