

Information Packet
Ad Hoc Police Policy Committee
Tuesday, October 27, 2020 Meeting

AGENDA
AD HOC POLICE POLICY COMMITTEE
Tuesday, October 27, 2020
Zoom meeting*
6:00 p.m. – 8:00 p.m.

- 6:00 – 6:35 p.m.** **1. Welcome/Opening remarks**
(Kevin Alltucker, staff)
- 6:35 – 6:45 p.m.** **2. Committee Process and Decision-Making**
(Mo Young, Facilitator)
- a. Written meeting minutes not required (meetings are recorded)
 - b. Will provide written summary of approved motions and actions, as well as requests for information and answers
 - c. Motions will be used for committee decision-making
 - d. Attendance—please let us know if you cannot attend
- 6:45 – 7:00 p.m.** **3. Future Committee Meeting Dates and Proposed Priority Topics**
(Kaz Zaidi, staff)
- a. Presentation of Prioritization Survey (materials in packet)
 - b. Subcommittee proposal (materials in packet)
 - c. Proposed Work Plan (materials in packet)
- 7:00 – 7:30 p.m.** **4. Work Planning**
(Mo Young, Facilitator)
- a. Approve proposed subcommittee focus areas (based on prioritization survey results)
 - a. Limit use of force
 - b. Hiring and Training
 - c. Community Oversight
 - d. Body Worn Cameras
 - b. Approve subcommittee membership
 - c. Approve subcommittee scope of work and deliverables
- 7:30 – 7:50 p.m.** **5. Follow-up on Community Oversight presentations/discussion**
(Kaz Zaidi, staff and Mo Young, Facilitator)

- a. Consider motions (Mo)
- b. Review Requests for Information and Responses (Kaz)

7:50 – 8:00 p.m. **6. Next Steps: Summarize actions and plans moving forward**
(Mo Young, Facilitator)

8:00 p.m. **Adjourn**

*Due to Governor Kate Brown’s Stay Home, Save Lives Executive Order to combat the spread of Covid-19, this meeting will be held remotely using virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-andMeeting-Materials>

Proposed Work Plan: October 2020-Jan 2021

Results of Prioritization Exercise

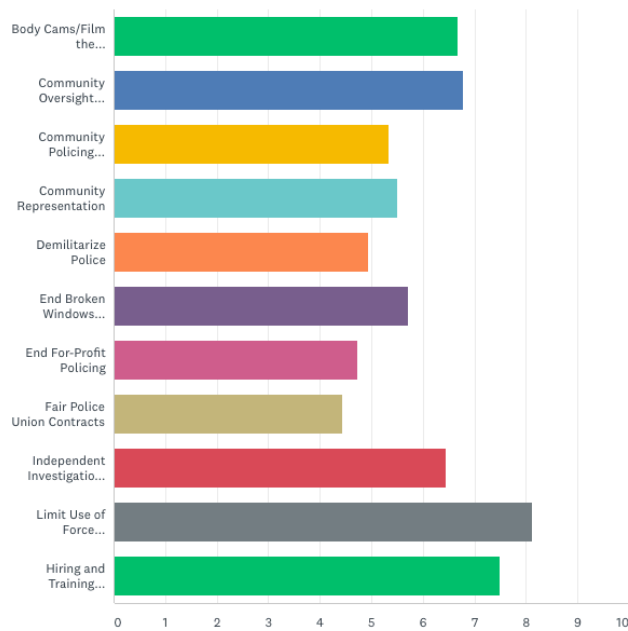
Prioritization Exercise

In October 2020 members of the AHCPP were sent a survey designed to assist them and the facilitation team in prioritizing policy areas for the committee to focus on in the limited time available to it.

The survey asked members to prioritize 11 policy areas taken from 21st Century Policing (21CP) and Campaign Zero (CZ) as well as to list any specific policies that they wished to discuss or see implemented. Of the 30 members, 19 have responded to the survey. The results are given below:

Please rank the following broad themes, in the order of importance to you, from highest (top) to lowest. The database sent with this survey gives examples of the policies covered in each theme.

Answered: 19 Skipped: 0



The top 5 priorities (in order) identified by committee members are:

1. Limit use of force
2. Hiring and Training
3. Community Oversight
4. Body Cams/Film the Police
5. Independent Investigation and Prosecution

The committee has already started discussions around community oversight and one meeting has been dedicated to presentations and Q&A in this area. In addition, many of the reforms

proposed in CZ and 21CP on this topic (such as the creation of a civilian review board and a police auditor) have already been enacted by the City of Eugene.

We therefore propose that these discussions be completed in the meeting on Tuesday 27th October and that subsequent meetings focus on the other priorities in the order that the committee membership ranked them.

Members were also asked to identify key policies from CZ and 21CP to discuss under each broader topic. These will be included on the agenda for each topic in future meetings but have not been detailed here for the sake of concision.

Sub-Committee Proposal

Introduction

Committee members have expressed a range of concerns about the AHCPP process including:

1. **Time limitation:** Council resolution calls for the report with recommendations to be complete by January 31, 2021. Committee members have expressed that this is not enough time to be enough time to learn about existing policy in the context of CZ and 21CP, have discussion about community experiences with policies and develop recommendations.
2. **Committee Member Engagement:** The size of the committee means that it is difficult for every voice to be heard in individual meetings and that some members may not have enough time fully participate in the discussions – something that runs contrary to the committee’s aim of elevating the voices of marginalized groups and individuals.
3. **Smaller Break Out Groups:** Some committee members have expressed that smaller group discussions (sub-committees) would be beneficial to taking a deeper look into specific policy areas. The public meeting virtual environment is not conducive to smaller break-out sessions. Lack of sub-committees prevents the committee from going into policy detail in the depth needed to produce meaningful work.

Creation of Sub-Committees

In order to address these issues, we propose the creation of 4 sub-committees. around the following priority areas:

1. Use of force
2. Hiring and training
3. Community oversight
4. Body cams/film the police

These priority areas represent the top four choices selected by the committee (there were 11 topic areas in total). Given there are five more large ad hoc committee meetings scheduled, we believe it is possible to complete the base-line presentations to the entire committee, conduct subcommittee work, and have the entire committee discuss and act on the subcommittee recommendations for the four priority areas listed above. If time allows, the committee could proceed with additional topic areas in order of priority per the survey.

Prior to sub-committee meetings, a full briefing on each topic will be presented the full committee. Each committee member will have an opportunity to ask questions and provide feedback on further policy review considerations for the sub-committee.

Sub-committee work will be focused on the direction provided by the City Council resolution to review current policy policies related to CA and 21CP.

Each sub-committee will have one meeting before the AHCPP's work is completed and to report back with a list of policy options for the AHCPP to vote on.

Meeting Type	Content	Date
AHCPP Full Meeting 3	<ul style="list-style-type: none"> Voting on sub-committee charges and membership Follow-up on Community Oversight Discussion from Meeting 2 (10/6/20) 	27 Oct 2020
Community Oversight Sub Committee		Early Nov 2020
AHCPP Full Meeting 4	<ul style="list-style-type: none"> Use of Force Presentation Report back from Oversight Committee 	10 Nov 2020
Use of Force Subcommittee Meeting		Mid Nov 2020
AHCPP Full Meeting 5	<ul style="list-style-type: none"> Hiring and Training Presentation Use of Force sub-committee report back. 	30 Nov 2020
Hiring and Training sub committee		Dec 2020
AHCPP Full Meeting 6	<ul style="list-style-type: none"> Body Worn Cameras Presentation Hiring and Training sub-committee report back 	5 Jan 2021
Body Worn Cameras Subcommittee		Early Jan 2021
AHCPP Full Meeting 7	<ul style="list-style-type: none"> Independent Investigation and Prosecution Presentation Body Worn Cameras sub-committee report back. 	20 Jan 2020
AHCPP Full Meeting 8	Review of final report.	26 Jan 2020

Here are the remaining topic areas in rank order as determined by the committee:

5. Independent Investigation and Prosecution
6. End Broken Windows Policing
7. Community Representation
8. Community Policing
9. Demilitarize Police
- 10 End for Profit Policing
- 11 Fair Union Contracts

Draft Motions

Motion on Inviting Speakers to the AHCPP

Proposed: Brian Michaels, NAACP

Seconded:

Move that:

The AHCPP set aside a significant amount of time during the committee process (no less than 45 minutes) to hear from citizen complainants about the process they undertook with the police auditor and civilian review board.

At least one of the complainants to be Mr. Michaels' client whom he described at the October 12 meeting, and who has agreed to appear.

OR

The AHCPP dedicate one of its meetings to hear from citizen complainants about the process they undertook with the police auditor and civilian review board.

At least one of the complainants to be Mr. Michaels' client whom he described at the October 12 meeting, and who has agreed to appear.

Motion on Creating Sub-Committees for the AHCPP

Proposed: Daniel Borson, HRC

Seconded:

Move that:

The AHCPP forms a number of subcommittees consisting of three to six committee members each.

Each sub-committee shall be assigned a specific area (or related areas) of policy, shall review and analyze the policies in that specific area or areas.

Each sub-committee shall bring their key findings and recommendations to the full committee for discussion and approval.

Motion on Supermajority Approval of AHCPP Final Report

Proposed: Emz Avalos

Seconded:

Move that:

The final draft of the AHCPP report be considered approved only if no less than 70 per cent of committee members present at the meeting at which the report is considered vote in favor of approval.

**Complete Testimony and Recommendations for the Eugene Police Policy Ad-hoc Committee
Submitted by: Lindsey Foltz, Civilian Review Board Chair
10/6/2020**

General CRB reflections

I have held two different appointments on the Civilian Review Board, with a year break in between. As a CRB member I am allowed to review the work of the auditor's office and see completed investigative case files. This includes body-cam footage, interviews, dispatch logs, police reports, and any other information that is involved with investigating a specific complaint. There is a special provision in Oregon Public Records Law that allows the Office of the Auditor and the Civilian Review Board to view these unredacted materials. I have been very satisfied with the transparency afforded to CRB members and have found these files and the investigations to be thorough and well done. The discussions amongst CRB members are robust and add to the transparency and integrity of the process. The Auditor and the Chief of Police both issue an adjudication recommendation for each case. I have not always agreed with the conclusions of the chief nor have I always agreed with the auditor. However, in terms of transparency and thoroughness of investigation I think the process in place is solid from a CRB member perspective. I think the public at large should have more access to these files, but I will address this at the end of this document as a policy recommendation. I am not a proponent of implementing all of the policies outlined in Campaign Zero regarding community oversight in Eugene. The recommendations for the Police Commission, for example, strike me as impractical in a City where even our City Councilors are essentially unpaid (they receive a very small stipend but no benefits) and where the Police Commissioners aren't allowed to witness the body worn camera footage or see the IA files due to Oregon Public Records Law. However, I have highlighted some of the recommendations that I think fit with our needs in Eugene and could move us toward more meaningful and effective community oversight in the short term.

Testimony for the ad-hoc committee based on CRB experience

In this testimony I speak on behalf of myself based on my experience as a member of the Civilian Review Board. I want to draw your attention to three cases that connect to all the policy changes that I am proposing for the committee to consider.

I have broken my concerns down into two separate categories: policies related to civilian oversight, and broader concerns based on witnessing cases. This document includes the minutes from these cases, the involved policies, my suggested changes, how they connect to Campaign Zero, supporting documents, and implementation paths.

In terms of civilian oversight my concerns include policies and practices related to:

- Body worn video
- Lack of transparency in discipline for sustained cases of misconduct
- Lack of recourse when Auditor and CRB disagree with Chief's adjudication
- Restrictions on public comment at CRB meetings
- Timelines for filing complaints with the auditor's office

Broader concerns based on witnessing cases:

- De-escalation

- Transparency in Public Records

Three Illustrative Cases

I would like to highlight three cases involving mothers who were bereaved or aggrieved by EPD who have shared their testimony with me. The first two were shared in public forums. I have received permission from the third to share our conversations with you all in this public setting.

Body Worn Video

All three of these cases occurred before body-worn cameras were implemented at EPD and were negatively impacted by the lack of footage. So, I'll start by praising the implementation of body worn cameras and their usefulness is civilian oversight. However, one of my recommendations is to improve the body-worn camera policy and implementation practices. I will summarize here:

- no muting
- no selective disabling
- permanent retention of footage
- mandating use on ALL sworn personnel including SWAT

Veteran with PTSD Shot by Police

The first case involved a veteran with PTSD who was shot and killed by police. He was shot by an officer from the hatch of an armored vehicle shortly after being hailed by loudspeaker to come out of his house with his hands up. The officer saw the man shoulder his gun at the armored vehicle which had driven into the man's yard. In this case, at the time of the shooting the force was ruled as reasonable. I agreed with the adjudication that the officer had not violated policy. However, that was the beginning of my advocacy for de-escalation as a centerpiece of our public safety strategy. The current de-escalation policy is from May 2018 and was influenced by this case. But there is still more to do. We urgently need to improve skill, reward, and accountability to de-escalate. In addition, this man's family was prevented from providing public comment at the CRB meeting where his case was discussed because of a CRB protocol. I advocate for this protocol to be amended, which will require agreement from the police union.

The minutes from the CRB meeting discussing this case are here: <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/3930>

Mother Tackled and Son Tazed after Calling for Mental Health Crisis Response

The second case mother called 911 in the middle of the night requesting help from CAHOOTS for her son who was in a mental health crisis and had been turned away from the hospital earlier that day. This incident was captured by audio recording devices which made some details impossible to verify (since it was before body-worn cameras). There was an officer at the scene who was working with the mother and her son to get him help with some success. When the supervising sergeant arrived on the scene, he escalated the situation. The mother, fearing for her son's life, wrapped her body around her son and refused orders to let go of him. She was tackled to the ground and put in handcuffs to separate her from her son, who was tazed. Neither of them was provided medical care, against policy.

While the use of force was determined to be within policy by Chief Kerns at the time it was deployed, the sergeant's behavior escalated the situation necessitating the level of force. This case was before the current de-escalation policy was in place, but as of this date I have not yet seen one case classified by the auditor as a violation of that de-escalation policy. I have reason to believe that is about to change and I hope it does because I am weary of seeing cases with justified force due to unjustified escalation. De-escalation should be a set of skills that we hire and promote for. Those who are in charge of training and supervising officers should be highly skilled in de-escalation.

This case also brings up questions that I have regarding discipline and civilian oversight. The CRB and the auditor's office are not allowed to know anything about the disciplinary outcomes, even in cases where misconduct is sustained. There are certain officers who appear in complaints many times, are repeatedly found to have violated policy, and yet are obviously still employed and in some cases given promotions or more authority. I think greater transparency in the disciplinary process would create an environment more conducive to accountability and would improve our current civilian oversight system.

The final frustration that I will note from this case was that the auditor and CRB's recommended adjudications varied from the Chief's. There is no recourse in these situations for ordinary complaints beyond what amount to strongly worded letters. Again, this impairs accountability and erodes my trust in the usefulness of civilian oversight.

The minutes from the CRB meeting discussing this case are here: <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4490>

Grieving Mother Denied Access to Complaint Process

The third mother is someone I have only recently met. Her baby son died when he was less than a year old. When she buried him, she didn't know that there was a reason to suspect her son's death wasn't natural, in part because DHS wasn't properly notified of his death by EPD. She went through lengthy legal processes with several involved agencies and eventually submitted a complaint to the auditor's office with her concerns about EPD's investigation into her son's death. However, her complaint was dismissed because it was beyond the 60-day window established in the City of Eugene ordinance for minor complaints and the 6-month window for allegations of serious misconduct. Though there is a statement in the ordinance allowing cases with "good cause" to be reviewed by the auditor beyond these windows, the the interpretation was that the threshold had not been met. Though dismissals for timeliness are not common, they do occur. I think the 60 day and 6-month window are too short and the interpretation of the "good cause" is not sufficiently broad to reasonably meet the needs and expectations of our community. This mother deserves to have her son's case fully reviewed by the auditor's office, through the robust process that we have in place to provide transparency. These cases are by no means the only cases related to the policies that I am recommending changes to, but they provide a sense of the stakes and human costs of policies, practices and procedures that need to change right here in Eugene.

They also allude to needs beyond policing to achieve community safety. We need to do everything we can to fully and robustly fund upstream solutions, some of which have already been identified in the Public Safety Payroll tax ordinance such as: prevention and homeless

services, adding emergency shelters, a day center and funding after school programs at Title 1 schools along with diversion programs such as expanding community court and mental health court. Police, CAHOOTS, and EMS are all crisis response and sometimes they are the right tool for the job. However, we also need to find a way to center care in our public systems to PREVENT and STOP CREATING crisis. *I do not think we will be moving toward broader public safety, regardless of the size of the police department or the civilian oversight system, until we also choose to systematically fund and address upstream issues.*

Policy Recommendations, Campaign Zero Connection, Supporting Documents:

Body Cameras: These are critical records and I am thankful that body-worn cameras have been implemented for most officers, but we can do more and need to clarify practices and procedures for capturing behavior and safeguarding this footage. There should be extremely limited muting of body-worn cameras and no selective turning off cameras unless there is a clear and defensible law-enforcement purpose. It is entirely possible that this footage could contain evidence related to crimes for which there is no statute of limitations. On these grounds I recommend permanent retention of the footage. Otherwise officers or administrators are choosing to erase evidence. Video can always be redacted, but erasing, muting, and turning off cameras destroys evidence that cannot be recovered. I am not sure the procedural route to change the retention period for the footage, and I know that in the past there has been concern about expense. However, there are increasingly inexpensive ways to store massive amounts of highly confidential data in perpetuity (particularly in cold storage) which should eliminate the barrier of expense.

In terms of muting, particularly in the past year, I have noticed that in many case the CRB has reviewed there are large segments of video where officers have muted their cameras and do not have a clear law enforcement purpose for doing so and have not followed POM policy 1203 to verbalize why muting was commencing. Not just one officer was muting in these cases (often we get several officers' footage) but all officers at the scene mute and all at the same time (which signals to me it is a common practice for which there is a non-verbal cue to mute which occurs off camera). In one specific case I recall the intentionally muted conversations contained critical information which was disputed by involved parties later. Not having the audio greatly impacted adjudication of the case. In other cases, it was less clear that it critically impacted the investigation, but the policy and practice should be very clear: severely limit or eliminate muting or disabling cameras. I also propose that SWAT and all other sworn personnel be required to wear body worn cameras and adhere to the policy.

Police Operations Manual Policies to Review

- 1203 Body-Worn Video <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4804> 12032
- 1202 Audio and Video Recordings <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4281>

Implementation Path

- EPD
- Police Commission

Relates to Campaign Zero Solution:

6. Body cameras

Due to a range of research studies finding no evidence that body cameras reduce police use of force, we caution cities *against* adopting new body camera programs. ***Places that have already implemented body cameras should ensure they are governed by the following policies reinforcing accountability*** (emphasis added):

- ***require officers with body cams to record all law enforcement interactions and prevent officers from having discretion to turn the cameras off*** (emphasis added)
- notify subjects that they have the option to remain anonymous and stop recording/storing footage if they choose this option
- ***allow civilians to review footage of themselves or their relatives and request this be released to the public and stored for at least two years*** (emphasis added)
- require body and dash cam footage to be stored externally and ensure district attorneys and civilian oversight structures have direct access to the footage
- require police departments, whenever they want to deny a Freedom of Information Act (FOIA) request for body or dash cam footage, to prove in court that the footage constitutes a legitimate FOIA exemption (Ex: [Illinois House Bill 4355](#))
- ***include a disciplinary matrix clearly defining consequences for officers who fail to adhere to the agency's body camera policy.*** (emphasis added)
- consider whether cameras or mandated footage are tampered with or unavailable as a negative evidentiary factor in administrative and criminal proceedings
- prevent officers from reviewing footage of an incident before completing initial reports, statements or interviews about an incident
- prohibit footage from being used in tandem with facial recognition software, as fillers in photo arrays, or to create a database or pool of mugshots. (Ex: [Baltimore PD Body Cam Policy](#))
- update privacy laws to protect civilians from having video or audio recordings released publicly that do not contain potential evidence in a use-of-force incident, misconduct incident, discharge of a weapon or death. (Ex: [ACLU Model Policy](#))”

(<https://www.joincampaignzero.org/film-the-police> , accessed 10/6/2020)

~~Transparency in Discipline: The Civilian Review Board is not allowed to know the disciplinary outcomes for cases of sustained misconduct or policy violations and the Auditor has no input in discipline. This lack of transparency and accountability concerns me because of my experience seeing certain officers repeatedly have sustained allegations and yet continue to serve as officers (and in some cases get promoted). There are multiple paths to achieving more~~

transparency and accountability. A disciplinary matrix would be a generalized way to communicate the type of discipline that is applied to particular kinds of misconduct or policy violations. This transparency in disciplinary process may also benefit officers as the outcomes would be clear and predictable should allegations be sustained. The current practice which relies in part on historical comparables to determine discipline should be seriously reconsidered. Police discipline of the past does not meet contemporary community expectations and needs. Alternatively, the discipline record in specific cases could be included in the file accessible by the auditor and then included in packet the CRB reviews for closed cases. A third option would expand the role of the auditor's office to include the ability of the auditor to be part of the disciplinary process and offer a recommended disciplinary adjudication (similar to the way the auditor currently offers a recommended adjudication related to the allegations). The Chief would still have ultimate say in the discipline, but this would greatly improve transparency of the process and outcomes. Please note that Campaign Zero recommends that disciplinary adjudication rest with Police Commissions. This generally may be good practice, particularly in large cities with formal and professionalized Police Commissions. In Eugene this is an awkward fit within the current system for a number of reasons (including State of Oregon public records laws) and the clearer path would be to expand the purview of the Auditor's office and the transparency of records to the CRB.

Implementation Path

Varies based on option: City Council (ordinance revision), EPEA, EPD

Relates to Campaign Zero Solution.

2. Community Oversight

Establish effective civilian oversight structures

Establish an all-civilian oversight structure with discipline power that includes a Police Commission and Civilian Complaints Office with the following powers:

The Police Commission should:

- determine policy for the police department based on community input and expertise
- share policy and policy changes in publicly accessible formats
- discipline and dismiss police officers
- hold public disciplinary hearings
- select the candidates for Police Chief, to be hired by the Mayor
- evaluate and fire the Police Chief, if needed
- receive full-time, competitive salaries for all members
- receive regular training on policing and civil rights
- not have current, former or family of police officers as members
- select its members from candidates offered by community organizations

The Civilian Complaints Office should:

- receive, investigate and resolve all civilian complaints against police in 120 days
- establish [multiple in-person and online ways](#) to submit, view and discuss complaints
- [be immediately notified](#) and required to send an investigator to the scene of a police shooting or in-custody death

- be allowed to interrogate officers less than 48 hours after an incident where deadly force is used
- access crime scenes, subpoena witnesses and files with penalties for non-compliance
- ***make disciplinary and policy recommendations to the Police Chief***
- ***compel the Police Chief to explain why he/she has not followed a recommendation***
- ***have the Police Commission decide cases where the Police Chief does not follow recommendations*** (emphasis added)

- issue [public quarterly reports](#) analyzing complaints, demographics of complainants, status and findings of investigations and actions taken as a result
- be housed in a separate location from the police department
- be funded at an amount no less than 5% of the total police department budget
- have at least 1 investigator for every 70 police officers or 4 investigators at all times, whichever is greater
- have its Director selected from candidates offered by community organizations
- not have current, former or family of police officers on staff, including the Director

(Ex: San Francisco Charter Policies on [Police Commission](#) and [Office of Citizen Complaints](#))

(<https://www.joincampaignzero.org/oversight> , accessed 10/6/2020)

Discrepancies in Adjudication: When the chief's adjudication is contrary to the auditor and the Civilian Review Board the entire oversight process appears ineffectual and weak. As an intermediate step, I like the proposed remedy from Campaign Zero to have the chief publicly address the discrepancy. This could be achieved by written memo included in the CRB packet and public presentation at the Civilian Review Board meeting where the case involved is being discussed. A more extensive change would grant the power of final adjudication to the Auditor if the Auditor and CRB agree on an adjudication contrary to the Chief.

Implementation Path
City Council

Relates to Campaign Zero Solution:

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(Ex: San Francisco Charter Policies on [Police Commission](#) and [Office of Citizen Complaints](#))

(<https://www.joincampaignzero.org/oversight> , accessed 10/6/2020)

Timeliness: Extend the 60-day window in section (k) and the 6-month window in section (l) from the time a complainant had reason to believe there was a policy violation and/or broaden the definition of “good cause” to better serve the needs and expectations of the community.

City of Eugene Ordinance 2.456 1 (k) and (l)

“(k) Except for good cause, complaints of minor misconduct involving courtesy, communications, and minor rules violations that might be handled as service complaints shall be filed within 60 days of the incident.

(l) Except for good cause, complaints of serious misconduct including, for example, excessive force that causes substantial physical injury, egregious acts of disparate treatment, or major rules violations shall be filed within 6 months of the incident”

<https://eugene.municipal.codes/EC/2.456> (accessed, 10/6/2020)

Implementation Path

- City Council
- Eugene Police Employees Association (Police Union)
- City Attorney (clarify “good cause” and suggest alternative language if Council agrees that the current interpretation is too narrow)

De-escalation: De-escalation should be a central element of training, explicitly called out in the training policy. It should be used as a success metric at the department level and used as part of performance evaluations and promotions at the individual officer level. This would require routine (annual) and robust performance evaluations, similar to those conducted for other city employees, integrating de-escalation metrics. Those who train new officers should demonstrate proficiency and skill in de-escalation. There should also be more accountability for not de-escalating which would require more frequent classification by the auditor.

Police Operations Manual Policies to Review

- 208: Department Training (particularly 208.4 and 208.5)
<https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4298>
- 436: Field Training and Evaluation Program <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4344>
- 437: Probation Review Committee <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4345>
- 800: Use of Force <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/4358>
- 820: De-escalation <https://www.eugene-or.gov/ArchiveCenter/ViewFile/Item/5165>

Implementation Path

- Eugene Police Department
- Police Commission
- Auditor’s Office

Relates to Campaign Zero Solutions:

7. Training

“The existing research literature is inconclusive on the effectiveness of training at reducing police violence...we caution cities against emphasizing more training as a solution. ***Rather, existing training programs should be replaced with programs that de-emphasize firearms and use of force and that empower communities to design and implement new training paradigms*** (emphasis added) for first responders including, but not limited to, the following topics:

- Procedural justice
- Relationship-based policing
- Crisis intervention, mediation, and conflict resolution
- Appropriate engagement with youth
- Appropriate engagement with LGBTQ, transgender and gender nonconforming individuals
- Appropriate engagement with individuals who are english language learners
- Appropriate engagement with individuals from different religious affiliations
- Appropriate engagement with individuals who are differently abled
- ***De-escalation and minimizing the use of force***” (emphasis added)

(<https://www.joincampaignzero.org/train> , accessed 10/6/2020)

3. Limiting Use of Force

“Revise and strengthen local [police department use of force policies](#)

Revised police use of force policies should protect human life and rights. Policies should include guidance on reporting, investigation, discipline, and accountability and increase transparency by making the policies available online. This use of force policy should require officers to:

- restrict officers from using deadly force unless all reasonable alternatives have been exhausted (Ex: [Philadelphia PD Policy](#))
- use minimum amount of force to apprehend a subject, with specific guidelines for the types of force and tools authorized for a given level of resistance (Ex: [Seattle PD Policy](#))
- ***utilize de-escalation tactics (verbalization; creating distance, time and space; tactical repositioning, etc.) whenever possible instead of using force*** (Ex: [Seattle PD Policy](#)) (emphasis added)
- carry a less-lethal weapon (Ex: [Seattle PD Policy](#))
- ban using force on a person for talking back or as punishment for running away (Ex: [Cleveland PD Policy](#))
- ban [chokeholds](#), strangleholds (i.e. carotid restraints), hog-tying and transporting people face down in a vehicle (Ex: [NYPD Policy](#))
- intervene to stop other officers who are using excessive force and report them to a supervisor (Ex: [Las Vegas Metro PD Policy](#))

- have first aid kits and immediately render medical assistance to anyone in police custody who is injured or who complains of an injury (Ex: [New Baltimore PD Policy](#))”

(<https://www.joincampaignzero.org/force>, accessed 10/6/2020)

Public Comment at CRB Meetings: Current CRB policies prohibit people from commenting on the case being reviewed publicly at that meeting. I have been uncomfortable in two of the above cases telling people they would have to come back to give their testimony on the case. I think public comment should not be restricted in this way.

Civilian Review Board Policies

<https://www.eugene-or.gov/DocumentCenter/View/18785/Civilian-Review-Board-Policies> (Chapter 3, Section 3)

Implementation Path

- Eugene Police Employees Association
- Civilian Review Board

Public Records Transparency: I think it is wrong that the CRB members and staff in the auditor’s office are the only citizens in Oregon who can routinely see information related to officer behavior. To increase transparency and accountability of police actions, and allow the public at large more access to information, Oregon Public Records Law (particularly exemptions) would need to change.

Documents:

https://www.oregonlegislature.gov/bills_laws/ors/ors192.html

<https://justice.oregon.gov/PublicRecordsExemptions/>

Implementation Path:

- City Council: I would like to request the Eugene City Council consider collaborating with other cities to advocate for reform to the State of Oregon Public Records Law, particularly the exemptions. For a detailed argument I agree with see this article in the Oregonian: <https://www.oregonlive.com/opinion/2020/06/opinion-fix-oregons-public-records-law-to-allow-scrutiny-of-police.html>

Requests for Information and Responses

We are processing this information and will send it to the committee on Monday, October 26.