

City of Eugene
Ad Hoc Committee on Police Policy
Information Packet

Meeting Date: November 10, 2020

Meeting Time: 6:00 – 8:00 pm

Location: Zoom

AGENDA
AD HOC POLICE POLICY COMMITTEE
Tuesday, November 10, 2020
Zoom meeting*
6:00 p.m. – 8:00 p.m.

6:00 – 6:05 p.m. 1. Welcome/Opening remarks
(Kevin Alltucker, staff)

6:05 – 6:15 p.m. 2. Consider previously submitted motions
(Mo Young, Facilitator)

6:15 – 6:30 p.m. 3. Presentation Follow up (to prerecorded presentations): Use of Force
(Eugene Police Department)

6:30 – 7:15 p.m. 4. Questions/Answers on Use of Force presentations
(Mo Young, Facilitator; Eugene Police Department)

7:15 – 7:25 p.m. 5. Report from Community Oversight Subcommittee
(Kaz Zaidi, staff)

7:25 – 7:45 p.m. 6. Consider recommendations/motions from Community Oversight Subcommittee
(Mo Young, Facilitator)

7:45 – 7:50 p.m. 7. Approve Subcommittee membership for Use of Force, Hiring & Training, Body-worn Cameras
(Mo Young, Facilitator)

7:50 - 8:00 p.m. 8. Next steps
(Mo Young, Facilitator)

8:00 p.m. 9. 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>

Agenda Item #1: Welcome/Opening remarks

No supporting information required

Agenda Item #2: Consider Previously Submitted Motions

The ad hoc committee has the opportunity to consider two previously submitted motions:

1. 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.

2. 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.

Agenda Item #3: Presentation Follow up (to prerecorded presentations): Use of Force

Eugene Police Sergeant Maloney and Eugene Police Department Policy Analyst Cindy Coleman will present a short follow-up to their pre-recorded presentations.

Here are the links to the pre-recorded presentations:

1. Sgt Maloney's presentation: <https://vimeo.com/476050275> (PLEASE WATCH BEFORE THE MEETING)
2. Cindy Coleman's presentation: <https://vimeo.com/476050737> (PLEASE WATCH BEFORE THE MEETING)

Agenda Item #4 Questions/Answers on Use of Force presentations

Eugene Police Sergeant Maloney and Eugene Police Department Policy Analyst Cindy Coleman will be available to answer questions regarding their pre-recorded presentations.

Agenda Item #5: Report from Community Oversight Subcommittee

Kaz will provide a summary of the Community Oversight Subcommittee that met on 11/4/20

Here is the link to the recorded Community Oversight subcommittee meeting: <https://youtu.be/ONBKKZDT1is>

Agenda Item #6: Consider Recommendations/Motions from Community Oversight Subcommittee

Here is the decision summary from the Community Oversight Subcommittee:

In Attendance

Brian Michaels, David Saez, Betsy Davis, Daniel Borson, Rick Rosetta,

Decisions

Motion on Police Stops (Motion passed 3-2)

Proposed: Daniel Borson

Seconded: Betsy Davis

Motion on CRB Testimony (Motion passed 5-0)

Proposed: Brian Michaels

Seconded: Daniel Borson

Motion on giving CRB Subpoena Power (Motion passed 4-1)

Proposed: Brian Michaels

Seconded: Daniel Borson

Motion on Drug Testing Officers After a Violent Incident (Motion passed 5-0)

Proposed: Brian Michaels

Seconded: Betsy Davis

Motion on Spoliation (Motion passed 4-1)

Proposed: Brian Michael

Seconded: Daniel Borson

Motion on Making the Citizen Review Board an Investigative Body (Motion passed 5-0)

Proposed: Daniel Borson

Seconded: Rick Rosetta

Motion on Reviewing Civilian Oversight Structures (Motion passed 5-0)

Proposed: David Saez

Seconded: Daniel Borson

Actions

Action	Request From	Lead	Outcome
Facilitation team to circulate motions passed to full committee	N/A	Facilitation team	Complete

Here is a summary of the motions from the Community Oversight Subcommittee:

1. Motion on Police Stops (Motion passed 3-2)

Proposed: Daniel Borson

Seconded: Betsy Davis

For all stops police officers should be required to give their name, badge number, the reason for the stop and a card with this information and with instructions for filing a complaint.

***Motion on CRB Membership (Motion received no second and did not move to a vote)**

Proposed: Brian Michaels

Seconded: None

That future members of the CRB be appointed by the current membership of the CRB.

2. Motion on CRB Testimony (Motion passed 5-0)

Proposed: Brian Michaels

Seconded: Daniel Borson

That the CRB be able to receive testimony from complainants at the meeting in which their complaint is considered.

3. Motion on giving CRB Subpoena Power (Motion passed 4-1)

Proposed: Brian Michaels

Seconded: Daniel Borson

That the CRB should have power of subpoena

4. Motion on Drug Testing Officers After a Violent Incident (Motion passed 5-0)

Proposed: Brian Michaels

Seconded: Betsy Davis

Officers should be drug tested at the close of the event for any use of force incident that results in serious injury or death.

5. Motion on Spoliation (Motion passed 4-1)

Proposed: Brian Michael

Seconded: Daniel Borson

If a body worn camera recording is recklessly, intentionally or negligently destroyed or unavailable, officer testimony on the events contained in the recording should not be admissible.

6. Motion on Making the Citizen Review Board an Investigative Body (Motion passed 5-0)

Proposed: Daniel Borson

Seconded: Rick Rosetta

The CRB should adjudicate cases involving excessive use of force, abuse of authority, unlawful arrest unlawful stop, unlawful searches, discourtesy or disrespectful behavior use of offensive language, theft and discriminatory behavior.

CRB should have the authority to conduct independent investigations and at the heart of such authorities must be the ability to subpoena witnesses and documents including internal police disciplinary documents, medical records, surveillance footage and other materials relevant to an investigation. Once the CRB's professional staff completes its thorough investigation and the board substantiates an allegation of misconduct the board's findings of fact will be binding on the head of the police department who will then determine discipline based on those facts and guided by a pre-negotiated disciplinary matrix.

7. Motion on Reviewing Civilian Oversight Structures (Motion passed 5-0)

Proposed: David Saez

Seconded: Daniel Borson

Recommend that the city council engage community in evaluating the existing form and structure of civilian oversight and defining the appropriate system for this community.

Agenda Item #7: Approve Subcommittee Membership for Use of Force, Hiring and Training, and Body-Worn Cameras

The Facilitation team is proposing a way in which ad hoc committee members can choose the subcommittee they wish to serve on. Participation on a subcommittee is not required.

If you would like to serve on a subcommittee, please email Kaz before Monday, November 9, 5:00 pm (kzaidi@eugene-or.gov) and indicate your preferences, with "1" being your top choice. Please keep in mind that ad hoc committee members can serve on one subcommittee, per the motion passed on 10/27/20.

If more than seven people have selected a particular subcommittee, the Facilitation team will draw names from a hat containing the names of the members wishing to be on that subcommittee to determine the seven subcommittee members. The drawing from the hat, if required (i.e. more than seven people wanting to be on a subcommittee) will take place during the ad hoc committee meeting on 11/10/20.

The remaining subcommittees are:

- Use of Force
- Hiring and Training
- Body-Worn Cameras

Agenda Item #8: Next Steps

If the membership is approved for the remaining three subcommittees, the facilitation team will send a Doodle poll to the members so that future subcommittee meeting dates can be determined. It is likely that The Use of Force subcommittee will meet in the next two weeks.

Additional Information Items

City of Eugene Ad Hoc Committee on Police Policy: Decision Summary for 10/27/20 meeting

In Attendance

Joshua Purvis, Brian Michaels, David Saez, Guadalupe Quinn, Patricia Toledo, Betsy Davis, Marty Wilder, Emz Avalos, Rick Hamilton, Quentin Reynolds, Midas Well, Dee Dent, Jason Mak, Joel Iboa, Daniel Borson, Ericka Lincango, Sandra Shotridge, Silverio Mogart, Maisie Davis, Lindsey Foltz, Rick Rosetta, Ib Hamide, Leticia Serna, Marvin Revoal, Leah Edelman, Justin Meyers, Abdulrahman Eissa.

Decisions

Motion against authorizing the creation of sub-committees (did not pass 8-15)

Proposed: Lindsey Foltz

Seconded: Silverio Mogart

Motion authorizing the creation of sub-committees (passed 18-5)

Proposed: Daniel Borson

Seconded: Joshua Purvis

Motion asking Council to extend the AHCPP process by 3 months (passed 23-3)

Proposed: Marty Wilder

Seconded: Lindsey Foltz

Actions

Action	Request From	Lead	Outcome
Facilitation team to send out doodle poll	Multiple Committee members	Facilitation team	Complete
Facilitation team to send out policy database	Multiple Committee members	Facilitation team	Complete
Facilitation team to send out Lindsey Foltz testimony	Multiple Committee members	Facilitation team	Complete