

City of Eugene
Ad Hoc Committee on Police Policy
Meeting # 10 on March 2, 2021
Decision Sheet

In Attendance

Emz Avalos, Daniel Borson, Betsy Davis, Maisie Davis, Ibrahim Coulibaly, Leah Edelman, Abdulrahman Eissa, Lindsey Foltz, Ib Hamide, Joel Iboa, Erika Lincango, Justin Meyers, Brian Michaels, Silverio Mogart, Tauna Nelson, Guadalupe Quinn, Quentin Reynolds, Richard Roseta, David Saiz, Sandra Shotridge, Midas Well, Marty Wilder

Decisions

(CO-93) 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.

Yes = 20, No = 0 (Approved)

(CO-90) Officers should be drug-tested at the close of the event for any use of force incident that results in serious injury or death.

Yes = 20, No = 0 (Approved)

(CO-91 AS AMENDED) The Civilian Review Board (CRB) should have subpoena power over Eugene Police personnel and documents as it investigates or reviews cases.

Yes = 18, No = 3 (Approved)

(UF-108 AS AMENDED) We propose, and Chief Skinner agrees, that mental health calls should be handled by mental health professionals. We encourage the city to invest in and expand 24-hour emergency response teams, similar to and including CAHOOTS, to handle non-criminal calls. We further encourage the city to form a task force to identify needs, strategize implementation, and develop protocols. Key elements include:

- **Modify the dispatch algorithm so that unarmed response teams (not police or CSO) are the first responders to all non-criminal calls.**
- **Ensure that calls do not default to a response from EPD unless first responders request police assistance.**
- **Establish a separate dispatch console for non-criminal calls including mental health crisis, suicide response, intoxication, transportation to services, housing crisis, first aid, noise complaints, disputes, disturbances, and other non-criminal situations.**

Yes = 21, No = 0 (Approved)

(UF-112) We recommend an overhaul of EPD policy on crowd control that makes it more clear when an assembly becomes unlawful, stipulates conditions under which EPD can tell a crowd to disperse, and clarifies when and how munitions can be used to enforce dispersal. There are several points we would like to ensure are covered:

What constitutes an unlawful assembly:

- **There must be criminal activity or clear and present danger of imminent violence**
- **EPD cannot declare an unlawful assembly for the following**
 - **Failure to obtain a permit**
 - **Past history of unlawful activity either by the group or any of its members**
 - **Temporarily blocking traffic (officers should redirect traffic as needed)**

- If a group gathers again after dispersing from an unlawful assembly (unless they again display criminal activity or violence)

The police must do all of the following before they can use force or make arrests

- Give an official declaration that this is an unlawful assembly
- Must provide clear instructions and warnings that can be heard within the crowd
- Must announce what will happen if people do not comply (arrest or use of force)
- Must announce where to go to disperse (egress or escape route)
- Must give reasonable time and opportunity to comply

Special circumstance

- Officers must clearly display name and/or number
- Officers must not take out their weapons before an order to disperse has been given
- If refusal to comply is passive resistance, police shall make arrests as a first course of action in place of using munitions to enforce dispersal
- Verbal abuse is not cause for making arrests or use of force
- Media shall be permitted to observe and get close enough to arrestees to get their name
- Medics who are actively caring for people who have been hurt shall be permitted to complete their work
- Must allow those who are not engaging in unlawful activity the means and opportunity to comply and/or distance themselves from those who are engaging in unlawful activity

Limits on use of force

- Electronic immobilizing devices such as Tasers shall not be used for crowd control
- Specialty impact munitions shall not be used for crowd control
- OC spray can only be used against active assailants and cannot be used where it might harm bystanders or passive resisters

Yes = 20, No = 1 (Approved)

(BWC-100) Ban police officers from taking cell phones or other recording devices without a person's consent or warrant and give people the right to sue police departments if they take or destroy these devices.

Yes = 18, No = 3, Abstain = 1 (Approved)

(BWC-100 AS AMENDED) Ban police officers from taking cell phones or other recording devices without a person's consent or warrant ~~and give people the right to sue police departments if they take or destroy these devices.~~

Yes = 2, No = 20 (Not Approved)

(BWC-101) Require body and dash cam footage to be stored externally (not directly under the control of the police department) and ensure district attorneys and civilian oversight structures have direct access to the footage.

Yes = 20, No = 0, Abstain = 2 (Approved)

(BWC-102) 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.

Yes = 21, No = 1 (Approved)

(AHCPP-101) The AHCPP requests that the City Council approve that the AHCPP has at least two additional meetings, if that is sufficient, in which it could consider and vote on all remaining motions referred to it by Subcommittees and any miscellaneous motions presented by members prior to the March 31 meeting.

Yes = 20, No = 2 (Approved)

(IIP-101 AS AMENDED) ~~Ask the Ad Hoc Committee to allow~~ Allow Scott McKee to attend an Ad Hoc Committee meeting and be available to answer questions. ~~for a question and answer session.~~

Yes = 19, No = 1 (Approved)