



**Eugene City Council**

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Eugene, OR 97401

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[www.eugene-or.gov](http://www.eugene-or.gov)

# EUGENE CITY COUNCIL AGENDA

**June 28, 2021**

**5:30 p.m. CITY COUNCIL WORK SESSION**

Due to Governor 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-and-Meeting-Materials>

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**Meeting of June 28, 2021;  
Her Honor Mayor Lucy Vinis Presiding**

**Councilors**

Jennifer Yeh, President

Mike Clark

Randy Groves

Emily Semple

Claire Syrett, Vice President

Greg Evans

Matt Keating

Alan Zelenka

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**5:30 p.m. CITY COUNCIL WORK SESSION**

- 1. WORK SESSION: Police Commission Annual Report**
- 2. WORK SESSION: Civilian Review Board and Police Auditor's Office Annual Reports**

For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010  
or visit us online at [www.eugene-or.gov](http://www.eugene-or.gov).

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Work Session: Police Commission Annual Report

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Meeting Date: June 28, 2021  
Department: Police Department  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 1  
Staff Contact: Jeremy Cleversey  
Contact Telephone Number: 541-682-5852

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### ISSUE STATEMENT

Biannually, the City Council meets with the Police Commission to review its past work and to discuss its upcoming work plan.

### BACKGROUND

The City Council approved the FY 2020/2021 Work Plan at its June 19, 2019 meeting. The Police Commission's focus placed it ahead of schedule for completing that workplan at the conclusion of FY2020. The workplan also afforded flexibility to tackle emergent issues which came in the form of COVID-19, political unrest, and an extended appointment process of 114 applicants. Upon City Council appointing five of the Police Commission's ten recommended applicants, the Police Commission responded to political unrest by identifying five policies for in-depth review, referred to as the Emergent Issues Work Plan. This work session is to provide that update.

### ATTACHMENTS

- A. Police Commission FY 2020/2021 Annual Report
- B. Police Commission FY 2022/2023 Work Plan
- C. Proposed Downtown Enforcement Alignment Memorandum
- D. Downtown Areas Map

### FOR MORE INFORMATION

Staff Contact: Jeremy Cleversey  
Telephone: 541-682-5852  
Staff E-Mail: [jcleversey@eugene-or.gov](mailto:jcleversey@eugene-or.gov)



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**CITY OF EUGENE**

**POLICE COMMISSION**

**FY 2020-21 Report**

**Police Commission Members**

Sean Shivers, Chair	Shawntel Robertson
Vi Huynh, Vice Chair	Silverio Mogart
Jennifer Yeh, City Councilor	Bonnie Dominguez
Alan Zelenka, City Councilor	Maisie Davis
Michael Hames-Garcia, CRB Liaison	Ian Winbrock
Amanda McCluskey, HRC Liaison	Dallas Boggs

*[www.eugene-or.gov/policecommission](http://www.eugene-or.gov/policecommission)*

For more information on the Eugene Police Commission, please contact:

Jeremy Cleversey, Police Commission Analyst

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## **Background**

The Eugene Police Commission is a twelve-member volunteer body that acts in an advisory capacity to the City Council, the Chief of Police and the City Manager on police policy and resource issues. The Commission's enabling ordinance, adopted in December of 1998, requires that it develop a work plan for City Council review and approval. In 2013, the Commission moved to a biannual work plan. Major accomplishments over the past five years include the following highlights:

- Implemented plan to increase communications between community and police, created a subcommittee to set goals for outreach, and created monitoring tools (FY2018)
- Continued recommending 21<sup>st</sup> Century Policing concepts of Police Legitimacy be incorporated into policy including guardian mentality and de-escalation (FY 2018)
- Completed a yearlong review of the Drone Pilot Program (FY 2019)
- Reviewed the Department-Issued Cell Phone Procedure (FY 2019)
- Completed a review of homeless related policies believed to place blame on the Police Department for things the Police Commission thinks are out of EPD control (FY 2020)
- Began a review of policies revolving around the Deadly Force Investigations (FY 2020)
- Enhanced outreach efforts by rotating locations, incorporating virtual meetings attending more community meetings and invited groups of officers to the table for information share (FY 2020)
- Embarked on an emergent issue work plan to review policy impacting peaceful protests and riots (FY 2021)

## **Police Commission Mission Statement**

The Eugene Police Commission recommends to the City Council, the City Manager, the Eugene Police Department, and the people, the resources, preferred policing alternatives, policies and citizens' responsibilities needed to achieve a safe community. We strive to create a climate of mutual respect and partnership between the community and the Eugene Police Department that helps achieve safety, justice and freedom for all people in Eugene.

## **Police Commission Goals**

As outlined in Ordinance 20398, the objectives of the Eugene Police Commission are to:

- 1) Increase communications between police and the community, leading to a greater understanding of the preferred policing alternatives for this city;
- 2) Identify police policy and resource issues related to preferred policing alternatives;
- 3) Decrease misunderstandings regarding the nature of adopted police policies, practices and approaches;
- 4) Provide input on police policies and procedures that reflect community values; and
- 5) Assist the City Council in balancing community priorities and resources by advising on police resource issues.

## **Biannual Work Plan**

Consistent with Eugene City Code 2.368(4), the Police Commission will continue to submit to the City Council an annual report, drawn from the biannual report created every two years.

## **Police Commission Work Plan Priorities**

The following items were identified and defined during the May 4, 2019 Police Commission Retreat as areas of focus for the next two-year work plan. The items are prioritized from top to bottom with intent to remain flexible to support emerging issues. The Police Commission anticipates being there to support new policy and process needs that the Community Safety Initiative may require. Additionally, there is a new Commission focus on reaching out to officers in order to clarify our oversight role over policy (recognizing that accountability falls under the Police Auditor and Civilian Review Board).

<b>Order</b>	<b>FY 2020 &amp; 2021 Commission Community Issues and Priorities</b>	<b>Weighted</b>
	<b>Top 15</b>	
1	<i>Outreach to police officers</i> – Bringing officers to the meeting, working with Deputy Chief and Chief to identify methods to reach out to the officers, and to recognize officers.	11
2	<i>Camping Policy &amp; Litter</i> – Continue to identify existing policy gaps and consider fixit tickets.	9
3	<i>Inter-Agency Deadly Force Investigation Team (IDFIT)</i> protocol – To learn about the process, identifying stakeholders, and send recommendations to the Police Chief and City Manager.	8
4	<i>Rotating Locations</i> – Determining availability and scheduling meetings throughout Eugene.	6
5	<i>Outreach to Neighborhoods</i> – Increasing awareness of the Police Commission through appointing liaisons, Commission pictures, and creating a pamphlet for Commission distribution.	6
6	<i>Diversity, Equity, and Inclusion (DEI)</i> Presenter Quarterly – schedule availability	5
7	<i>Policy Review: Arrest, Deadly force, Search and Seizure</i>	5
8	<i>Protocol for release of information</i> – EPD specific policies in addition to the inter-agency review.	5
9	<i>Supervisor Accountability</i> – How they are trained, evaluated, and make recommendations.	5
10	<i>Homeless Services</i> – To put together a recommendation to City Council regarding enforcement issues for public restrooms, needle drops, public dumpsters, and the impacts to Eugene Police.	4
11	<i>Community Safety Initiative</i> – Review new programs and process recommendations.	4
12	<i>Spillover into neighborhoods</i> – Discuss the creation of a report to help identify what the community is getting for their money.	4
13	<i>Citizen's Police Academy</i> – Conversation about the benefit to the city, what happened before, and why did it go away? Discuss demographics to involve.	4
14	<i>Temporary custody of juveniles</i> – Identify the policy and complete a review.	4

15	<i>Workplace Harassment</i> – Identify the policy and complete a review.	4
<b>Order</b>	<b>FY 2020 &amp; 2021 Commission Community Issues and Priorities</b>	<b>Weighted</b>
	<b>Parking Lot</b>	
16	<i>Guardian Trailers</i> – How they have done so far, and do we need to leverage this resource more?	2
17	<i>Citizen Safety Perception</i> – What recommendations can be made?	2
18	<i>Promotion and Special Assignment</i> – Identify the process and complete a review.	1
19	<i>Drug enforcement and CORT</i> – Identify the process and complete a review.	1
20	<i>Interagency Cooperative Agreement Santa Clara</i> – Identify and complete a review.	1

*These focus areas are not in priority order. The below spreadsheet is an attempt to capture work completed by the Police Commission in FY2020 and FY2021 work plan.*

FY 2020-21 Police Commission Work Plan			Date	Work Performed
Status	On Going Objectives			
✓	1	Outreach to Police Officers	6/13/2019	Introduction to Deputy Chief Stacy Jepson
			12/12/2019	Introduction to Captain Shawn Adams
			1/9/2020	Introduction to the Street Crimes Team
			2/13/2020	Meeting the Canine (K-9) Unit
✓	4	Rotation Locations	11/12/2019	Peterson Barn
			1/9/2020	Sheldon Community Center
			Cancelled	Hilyard Community Center
			Cancelled	Downtown Atrium Building
			Ongoing	Zoom: 5/14/2020 - Current
✓	5	Outreach (to Neighborhoods)	Multiple	Assorted Neighborhood Groups
			8/10/2019	Pride in the Park
			11/12/2019	Peterson Barn
			Multiple	First Friday Communities of Color Group
			1/9/2020	Sheldon Community Center
			2/16/2020	Asian Celebration
			Ongoing	Zoom: 5/14/2020 - Current
✓	6	Diversity, Equity, and Inclusion (DEI)	6/13/2019	2018 Hate and Bias Report
			10/10/2019	Diversity, Equity, and Inclusion goals discussion
			11/14/2019	Diversity, Equity, and Inclusion goals discussion
			12/12/2019	Inclusive Public Participation discussion
✓	10	Homeless Services Follow-Ups (Police/ Public Safety Related)	2/13/2020	Restrooms, needle drops and dumpsters discussion
			2/11/2021	Illegal Car Camping Response Status Update
✓	11	Community Safety Initiative (Check-ins for new Policy Needs)	Multiple	Regular Updates from Chief Skinner
			TBD	Awaiting the CSI Community Advisory Board
Status	Objectives			
✓	2	Camping Policy & Litter	7/11/2019	Saint Vincent de Paul response to illegal camping (410)
			9/12/2019	Illegal Car Camping Discussion Continued (410)
			10/10/2019	Trespass: Right-Of-Way Discussion
			11/14/2019	Prohibited Camping Policy Final Draft Review (410)
			11/14/2019	Illegal Car Camping Discussion Recap
			7/9/2020	Prohibited Camping Re-enforcement Rollout
			2/11/2021	Illegal Car Camping Response Status Update
✓	3	Inter-Agency Deadly Force Investigation Team (IDFIT) protocol	11/14/2019	News Media Procedure Review (11.18)
			2/13/2020	Deadly Force Investigations Process Overview (810)
✓	7	Policy Review: Arrest, Deadly Force, Search and Seizure	9/12/2019	Search and Seizure Policy Review (322)
			Multiple	Deadly Force Review - See Priority 3 above for Detail
			1/9/2020	Arrest Policy Combination Draft Review (300)
✓	8	Protocol for release of information	11/12/2019	News Media Procedure Review (11.18)
	9	Supervisor Accountability	TBD	Recommend Inclusion in the FY21 - FY22 Work Plan
χ	12	Spillover into neighborhoods	2/13/2020	Downtown enforcement review
			Cancelled	Displacement check-in due to greater downtown presence
✓	13	Citizen's Police Academy	3/11/2021	Conversation about re-creation
✓	14	Temporary custody of juveniles	12/12/2019	Temporary custody of juveniles policy review (324)
	15	Workplace Harassment	TBD	Recommend Inclusion in the FY21 - FY22 Work Plan
✓	16	Guardian Trailers	2/13/2020	Guardian Trailer leveraging discussion



*Additional Work Completed that was not on the FY2020 and FY2021 work plan.*

Status	Emergent Policy Issues			
✓	A	New policy	1/9/2020	PepperBall Projectiles policy review (804)
			9/10/2020	PepperBall Projectiles policy review (804)
			10/8/2020	PepperBall Projectiles policy finalized (804)
✓	B	Standard review due to age	1/9/2020	Large Scale Incidents Procedure review (4.6)
			5/14/2020	Traffic Enforcement Procedure review (6.2)
✓	C	COVID-19 pandemic	4/9/2020	Chief Skinner's responses to Commissioner Questions
			5/14/2020	COVID-19 Pandemic as it Pertains to Eugene Police
			6/11/2020	Prohibited Camping Re-enforcement Rollout
✓	D	New language for Narcotics Detection	5/14/2020	Canine (K-9) Program Policy review (904)
			7/9/2020	Canine (K-9) Program Policy review (904)
✓	E	Protests and riots	6/11/2020	Discussion on priorities for Police Commission Review
			9/10/2020	PepperBall (804)
			10/8/2020	PepperBall (804)
			10/29/2020	Public Assemblies and Demonstrations (316)
			11/12/2020	Handcuffing Control Holds and Impact Weapons
			1/14/2021	Handcuffing Control Holds and Impact Weapons
			2/11/2021	Field Force (318)
			3/11/2021	Field Force (318)
✓	F	Ad-hoc Committee on Police Policy	4/8/2021	PepperBall (804)
			8/27/2020	Liaisons appointed to meet Council Invitation

## **Work Completed in FY 2020**

The Police Commission had 15 areas of focus to choose from on their FY 2020-21 work plan. Out of those the 6 that were categorized as ongoing work were established and that work has and will continue. The remaining 9 were identified as one-time objectives and the police commission has completed 6 of those, 1 is in process and two are remaining.

The Police Commission completed review of the following policies and procedures:

- Prohibited Camping
- Search and Seizure
- Temporary Custody of Juveniles
- PepperBall Projectiles
- Large Scale Incidents
- Traffic Enforcement
- Arrests
- News Media
- Canine Program

In addition to these EPD policy discussions, the Commission conducted the following work in FY 2020:

### **Flexible to support emerging issues:**

- COVID-19 – Monitoring the Eugene Police response to COVID and providing Chief Skinner with questions relayed from the Community.
- Recent Protests and Riots sparked by George Floyd's Untimely Death – Listening for and reflecting on feedback from the Community to enhance policy recommendations.
- Community Safety Initiative - Anticipation of new policy and process the CSI may require.

### **Continued their ambitious outreach strategy to encourage and invite public participation:**

This work was in line with the Police Commission's first goal to, "Increase communications between police and the community, leading to greater understanding of the preferred policing alternatives for the city." Commissioners have been listening and sharing their message through multiple groups including Neighborhoods, First Friday Communities of Color, Pride in the Park and the Asian Celebration to name a few. We also began rotating meetings geographically moving the Police Commission to Peterson Barn in the Fall, Sheldon Community Center in the Winter, Hilyard Community Center in the Spring and the Downtown in the Summer. The COVID-19 pandemic prevented visiting the Hilyard Center but created a new awareness and opportunity through virtual platforms.

### **Increased communication and outreach between the commission and the department:**

The Commission made outreach to Police Officers a top priority last year and met new leadership including Deputy Chief Jepson and Captain Adams. There was a strategic effort to establish new relationships with those most involved in the Community Safety Initiative in anticipation of new policy needs. The Commissioners met with the Street Crimes Team, the Canine (K-9) Unit and prior to COVID-19 had RSVP's from both the Community Safety Officers and 911 call takers to meet and share.

### **Continued a discussion on homelessness and how the Police Commission can contribute:**

The Commission recognized that the topic of homelessness is broad and emphasized defining the goal, so their conversation would not become diffused to non-police related issues. The conversation included subject matter experts from the City Manager's Office, the Police Department, and Saint Vincent De Paul. Their conversation led to commencing a review of policies that are believed to place blame on the Police Department, for factors the Police Commission deems are out of Eugene Police control. Ultimately, they were pleased to learn that the City and its partnership with Saint Vincent de Paul had instituted process changes believed to reduce misconception while simultaneously increasing accountability.

Ongoing Review of Arrest, Use of Force and Search and Seizure Policies:

Eugene has often pioneered innovation in policing; due in no small part to our ongoing effort to respond to community concerns. Recognizing the need and sensitivity surrounding arrests, use of force, and search and seizure policy the commission adopted a review of these policies as a priority during the work retreat last May. Nearly half the planned meetings dealt with these topics to address concerns preemptively. We began this review but were interrupted by COVID-19. Given recent events the Commission expects increased community engagement in this process going forward.

## **Work Completed in FY 2021**

Out of the 15 areas of focus on the Police Commission FY 2020-21 biennial work plan, 6 were categorized as ongoing work and 9 were categorized as one-time objectives. The Police Commission managed their time well and were ahead of schedule in completing the biennial work plan by the beginning of FY 2021. This was done intentionally to support new policy and process needs. This afforded them the capacity to adapt and craft an Emerging Issues Work Plan following a string of peaceful protest and riots that began in May of 2020.

During FY 2021, the commission continued the 6 ongoing objectives as well as completed 6 of the 9 onetime objectives.

### ***Emerging Issues Work Plan***

The following items were reviewed and confirmed during the July 9, 2020, Police Commission Meeting as areas of focus to complement the two-year work plan. Commission leadership in support of 'Black Lives Matter' and with the advice of Police Chief Chris Skinner and Policy Sergeant Kyle Williams identified a list of five policies to review:

- Public Assemblies and Demonstrations (316)
- Civil Disturbances (317)
- Field Force (318)
- PepperBall (804)
- Handcuffing Control Holds and Impact Weapons (808)

Following the development of the Emerging Issues Work Plan, Chief Skinner shared concerns with the Commission about increasing domestic abuse cases with children at home due to the COVID-19 pandemic. The Police Commission set out to explore ways they could help with this situation and added a review of Domestic Violence and Restraining Orders (320) to the Emerging Issues work plan.

FY 2020-21 Emergent Issues Work Plan		Date	Work Performed
Status	Topic		
✓	1 Public Assemblies and Demonstrations (316)	10/29/2020	Review Completed
✓	2 Civil Disturbances (317)	1/14/2021	Review Completed
✓	3 Field Force (318)	2/11/2021	Review Started
		3/11/2021	Review Completed
✓	4 PepperBall (804)	9/10/2020	1st Review
		10/8/2020	1st Review Completed
		4/8/2021	2nd Review Completed
✓	5 Handcuffing Control Holds and Impact Weapons	11/12/2020	Review Started
		1/14/2021	Review Completed
	6 Domestic Abuse	11/12/2020	Response need with Deputy Chief Stacy Jepson
		12/10/2020	Program development with Chief Chris Skinner
		TBD	Domestic Violence and Restraining Orders (320)
✓	7 Police Commission Developing Appointment Recommendations for Council	3/3/2020	Police Commission Interview Planning - 1 hours
		3/10/2020	Police Commission Interviews - 4 hours
		7/6/2020	Police Commission Interview Planning - 1.5 hours
		7/13/2020	Police Commission Interviews - 3 hours
		7/15/2020	Police Commission Interviews - 2 hours
		7/16/2020	Police Commission Interviews - 2 hours
		7/17/2020	Police Commission Interviews - 2 hours
		7/20/2020	Police Commission Interviews - 3 hours
		7/22/2020	Police Commission Interviews - 3 hours

### ***Policy Impacting Research***

Changes in legislation, changes in community needs and approximately half of the board members being newly appointed in FY2021 have preempted Police Commission to prioritize presentations on state legislation changes, police oversight and safety issues within our community. Safety concerns regarding Use of Force, peaceful protests and Domestic Violence in during the pandemic have permeated conversation.

FY 2020-21 Police Commission Work Plan			Date	Work Performed
Status	Presentation/ Research			
✓	1	State Legislation Update	10/9/2020	Senator Manning: potential impacts to police policy
			4/8/2021	Senator Manning: potential impacts to police policy
✓	2	Internal Affairs	10/9/2020	Cindy Coleman: investigation process overview
			12/10/2020	Cindy Coleman: 2019 Annual Report
✓	3	Independent Police Auditor	12/10/2020	Leia Pitcher: 2019 Annual Report
✓	4	Prohibited Car Camping Response Update	7/9/2020	Lieutenant Mozan: Re-enforcement Rollout
			2/11/2021	Lieutenant Mozan: Response Status Update
✓	5	Domestic Abuse	11/12/2020	Response need with Deputy Chief Stacy Jepson
			12/10/2020	Program development with Chief Chris Skinner
✓	6	Citizens Police Academy	3/11/2021	Conversation with Captain Sherri Meisel

## FY 2022 & FY 2023 Police Commission Work Plan Priorities

The following items were identified and defined during the May 15, 2021 Police Commission Retreat as areas of focus for the next two-year work plan. The items are prioritized from top to bottom with intent to remain flexible to support emerging issues. The Police Commission anticipates being there to support new policy and process needs that the Community Safety Initiative may require or that Council relays following the recommendations of the Ad-hoc Committee on Police Policy.

Order	FY 2022 & 2023 Commission Community Issues and Priorities	Weighted
<b>Top 14</b>		
1	<i>Officer wellness and mental health</i> – Review what is being done to prioritize this	10
2	<i>Call center policy procedure and prioritization</i> – Review call center operations	10
3	<i>Gender inclusive and diverse language review</i> – Opportunities to update policy	9
4	<i>Discipline matrix policy and procedure</i> – to monitor how discipline is conducted	8
5	<i>Diversity, Equity and Inclusion (DEI)</i> – quarterly informational sessions	8
6	<i>Community outreach and Civic engagement in police policy and input (social media and user-friendly graphics)</i> – Develop and execute a community outreach and engagement plan	8
7	<i>Stops threshold</i> – threshold at which a voluntary encounter becomes an involuntary detainment and communication thereof	7
8	<i>Pepperball projectiles</i> – Considering it as a default response as opposed to firearms	7
9	<i>Hiring and recruitment</i> – to review the practices and procedures	6
10	<i>Domestic violence and sexual assault</i> – online presence and tools, review reporting of such incidents and related policies	6
11	<i>Downtown safety</i> – Discussion to improve downtown safety	6
12	<i>Supervisor accountability</i> – training and evaluation review	6
13	<i>Data review of stops and use of force</i> – monitoring for demographic disparities	3
14	<i>Review of contractors and local non-profit (Cahoots, St. Vincent de Paul, etc.)</i> – A presentation from each on their services delivered as they pertain to policing	3

Order	FY 2022 & 2023 Commission Community Issues and Priorities	Weighted
<b>Parking Lot</b>		
15	<i>CS gas, HB2928-A</i> – Making sure the policy is in line with the House Bill.	2
16	<i>Duty to intervene and report, HB2929-A</i> – Making sure the policy is in line with the House Bill.	2
17	<i>Crowd management uniforms/officer identification, HB3355-A</i> – Making sure the policy is in line with the House Bill.	2
18	<i>Public-private partnerships</i> - how does the department work with local businesses	2
19	<i>No-stop citations</i> – discuss alternatives to [traffic] stopping folks	2
20	<i>Long Range Acoustics Device (LRAD), HB2928-A</i> – Making sure the policy is in line with the House Bill.	1



## Eugene Police Commission

### Memorandum

Date: June 16, 2021  
 To: Eugene City Council  
 From: Eugene Police Commission, Chairman Sean Shivers  
 Subject: Proposed Downtown Enforcement Alignment

The Police Commission recommends that downtown enforcement areas be compiled into a single coherent zone.

There are currently 8 special areas of enforcement in effect in our downtown area: Downtown Activity Zone (DAZ), smoking ban, leash mandate, Community Outreach Team (CORT) operational zone, Downtown core, Downtown neighborhood, the reporting area, and the operational zone. Some of these zones serve primarily administrative functions; however, the areas which involve special enforcement (DAZ, smoking ban, leash mandate, CORT, and the reporting area) need to be brought into alignment with one another in order to ensure the highest standards of service.

By collating these areas as much as possible we simplify expectations for both our residents and our officers, reducing their load and preventing disagreements and confusion. In police work, eliminating sources of confusion and unnecessary complexity can dramatically reduce distrust. Creating a synchronous set of rules would also increase department flexibility, requiring less time for new officers to effectively integrate into assignments downtown.

Expanding these areas would ensure that high traffic areas benefited from the same ordinances currently designed to increase downtown livability and safety.

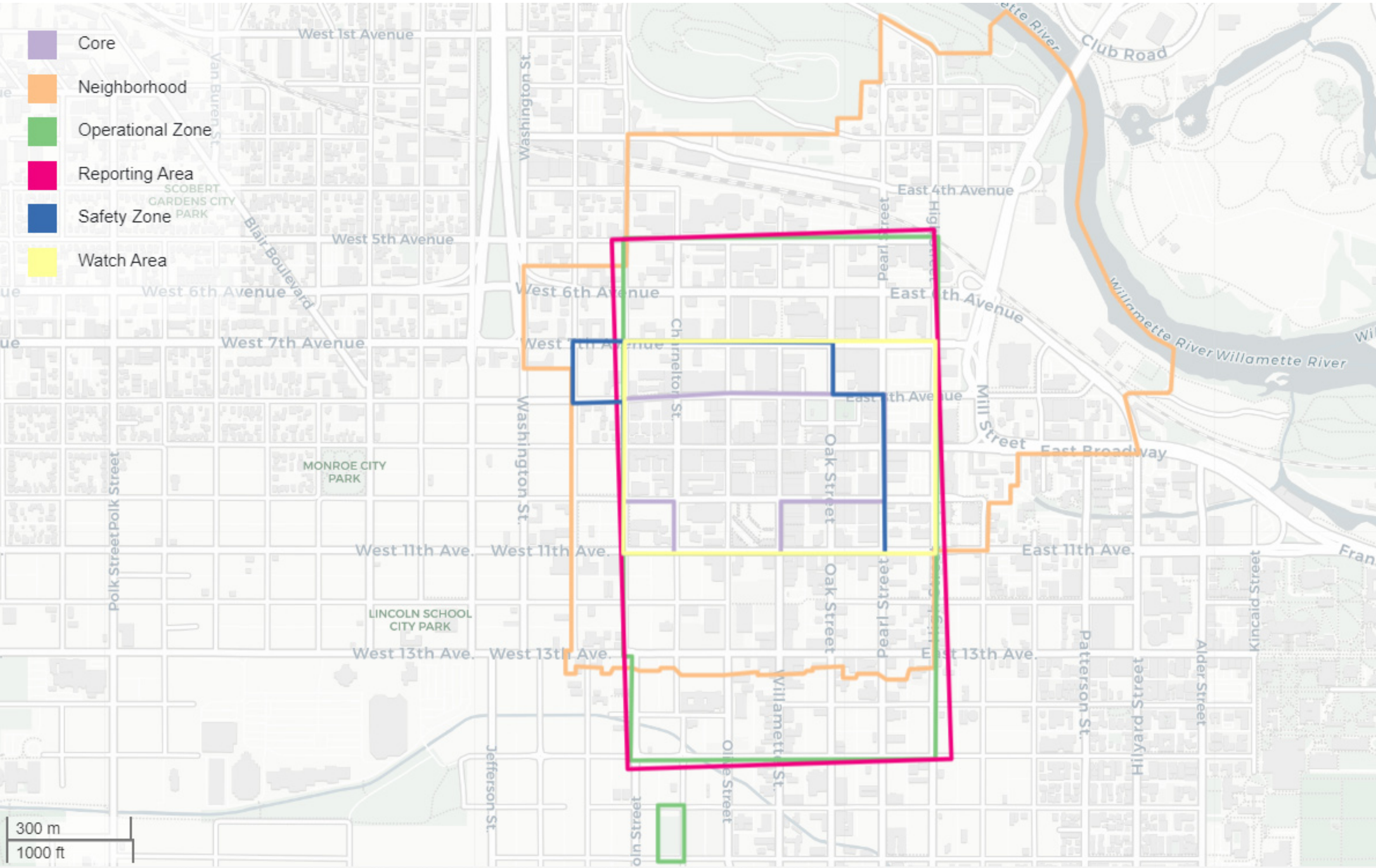
With the development occurring along Eugene's riverfront, now is an excellent time to consider the expansion of ordinances that are currently downtown-specific.

#### **Police Commission Members**

Sean Shivers	Jennifer Yeh
Vi Huynh	Maisie Davis
Shawntel Robertson	Amanda McCluskey
Silverio Mogart	Michael Hames-Garcia
Bonnie Dominguez	Ian Winbrock
Alan Zelenka	Dallas Boggs



# Downtown Areas



\*Smoking ban and leash mandate zones are not pictured here.



# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Work Session: Civilian Review Board and Police Auditor's Office Annual Reports

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Meeting Date: June 28, 2021  
Department: Police Auditor  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 2  
Staff Contact: Leia Pitcher  
Contact Telephone Number: 541-682-5016

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## ISSUE STATEMENT

The leadership of the Civilian Review Board and the Police Auditor's Office are appearing before the City Council to discuss the 2020 Annual Report of the Civilian Review Board and the 2020 Annual Report of the Police Auditor's Office.

## BACKGROUND

The Eugene City Council appoints members to the Civilian Review Board and is the hiring authority for the Police Auditor. The Civilian Review Board and Police Auditor's Office provide and discuss their annual reports to Council on an annual basis.

[City Charter](#) Section 15-A(1) directs the Police Auditor to "prepare reports on complaint trends and police practices in general; Section 15-A(2) directs the Civilian Review Board to "provide reports and recommendations to the city council."

In addition, [E.C.C. 2.246\(7\)](#) requires the Civilian Review Board to prepare and present an annual report to the city council; requirements for the report are set out therein. [E.C.C. 2.454\(1\)\(h\)](#) directs the Auditor's office to develop and present annual public reports, with more specific requirements for the reports set out therein.

## ATTACHMENTS

- A. 2020 Annual Report of the Police Auditor's Office
- B. 2020 Civilian Review Board Annual Report

## FOR MORE INFORMATION

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Telephone: 541-682-5016  
Staff E-Mail: [lpitcher@eugene-or.gov](mailto:lpitcher@eugene-or.gov)



# CITY OF EUGENE

INDEPENDENT POLICE AUDITOR'S OFFICE

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## ANNUAL REPORT



# 2020

### **Eugene Mayor and City Councilors**

- MAYOR: LUCY VINIS
- Ward One: Emily Semple, Vice President
- Ward Two: Betty Taylor, President
- Ward Three: Alan Zelenka
- Ward Four: Jennifer Yeh
- Ward Five: Mike Clark
- Ward Six: Greg Evans
- Ward Seven: Claire Syrett
- Ward Eight: Chris Pryor
- City Manager: Sarah Medary

### **Civilian Review Board (CRB) Members**

- Lindsey Foltz, Chair (through October 2020)
- Carolyn Williams, Vice Chair (August 2019 – October 2020); Chair (October 2020 – present)
- Bernadette Conover, Vice Chair (October 2020 – present)
- Michael Hames-García
- Rick Roseta
- Awab Al-Rawe (through June 2020)
- Susan Gallagher-Smith (through June 2020)
- José Cortez (appointed July 2020)
- Bill Whalen (appointed July 2020)

### **Police Auditor's Office Staff**

- Mark Gissiner, Independent Police Auditor
- Leia K. Pitcher, Deputy Police Auditor
- Vicki Cox, Senior Program Coordinator
- Beatriz Otero Hernandez, Community Engagement Coordinator & Translation Specialist

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- Twitter: [www.twitter.com/Eugene\\_IPA](https://www.twitter.com/Eugene_IPA)

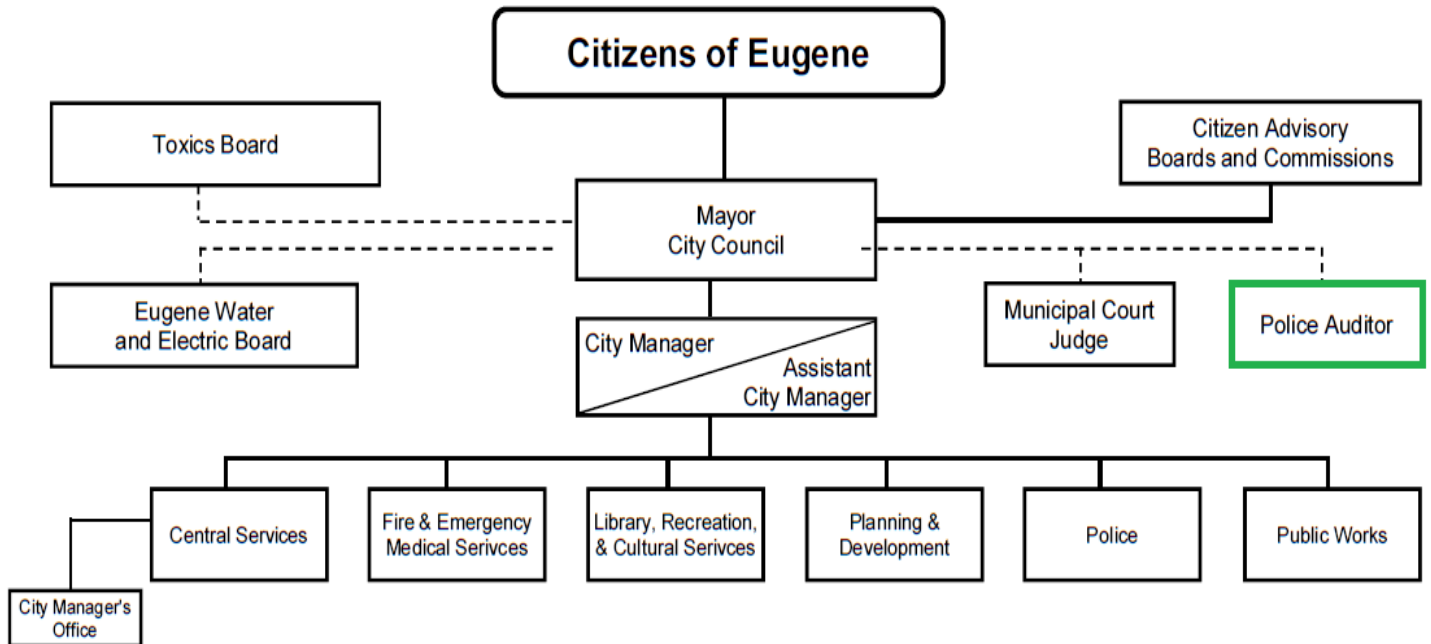
**Our mission:** To provide an accessible, safe, impartial and responsive intake system for complaints against the Eugene Police Department employees and to ensure accountability, fairness, transparency, and trust in the complaint system.

The Office of the Police Auditor and the Civilian Review Board operate independently. We report directly to, and are funded by, the Eugene City Council. We are an independent, civilian entity performing oversight of the Eugene Police Department (EPD); neither our funding nor management overlap with EPD. No employee of the Auditor's office is an employee of the EPD.

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## City of Eugene Organizational Chart



## Mission and Purpose

Our office was established by charter amendment in 2005 to provide an external mechanism for the independent receipt, classification, and routing of complaints against sworn and non-sworn EPD employees; contract for outside investigations when necessary; and provide monitoring of EPD internal investigations of allegations of misconduct and supervisors' investigations of service complaints. The charter amendment also authorizes the auditor to make recommendations regarding adjudications, policies and training to the Police Chief; prepare reports concerning complaint trends and police practices; and act as a liaison and staff support for a civilian review board.

## Overview

Our office serves as the intake point for all complaints about EPD employees. On average we review 380 complaints per year (average 2010-2020). We also review every reportable use of force, and we have done so since mid-year 2013. What constitutes a "reportable" use of force depends on EPD policy and has changed over the years, but we generally review between 100-200 uses of force per year. We also serve as one of several avenues of intake for police commendations. Our staff supports the Civilian Review Board, and we regularly attend Police Commission and Human Rights Commission meetings to answer any questions those groups may have regarding our office. In 2020, we also attended meetings of the Ad Hoc Committee on Police Policy, in addition to providing presentations and answering

questions from that group regarding community oversight. We have emphasized community engagement efforts over the past several years and continued our best efforts in that arena despite complications due to the Covid-19 pandemic. We provide our services in an efficient, clear, and accessible manner, and we are committed to our mission of transparency and accountability for police services in Eugene.

## **2020 Progress and Results**

2020 was a year of unprecedented challenges for our local and global community. Our office was able to adapt to those challenges and meet our community's needs for police accountability and necessary and important discussions surrounding the nature of policing and oversight. Despite closing our doors to walk-in complaints and re-directing much of our office to remote work due to the Covid-19 pandemic, we only saw a slight decrease in complaints (407 complaints, a decrease of less than 9% from our record high in 2019, and still substantially higher than our 10-year average of 380). In addition, our office reviewed 118 reportable uses of force and four applications of deadly force.

We also undertook the enormous challenge of a community-impact case investigation into EPD's response to community demonstrations in the wake of George Floyd's murder by Minneapolis Police, and we were able to present the findings of the substantive portion of those investigations by December 2020. We are committed to continuing to provide meaningful independent, civilian oversight of police in a cost- and time-efficient manner, and we are working with the community and City staff to improve our services and meet the needs of our community in 2021 and into the future.

### ***Community Impact Case Investigation***

In May 2020, in response to the deaths of George Floyd, Breonna Taylor, and others, communities nationwide engaged in protests against police killings of Black people. Spontaneous demonstrations in Eugene began May 29, 2020. Over the course of that weekend, some of the demonstrations became violent. The City declared city-wide curfews and designated some of the demonstrations as unlawful gatherings. The Eugene Police Department (EPD) ultimately used force on some demonstrators, including tear gas, pepper spray, PepperBalls, 40mm sponge rounds, and field force batons (PR-24s). The Office of the Police Auditor was contacted by dozens of community members regarding this and other conduct.

Given the clear community interest in EPD's response to the demonstrations over the weekend of May 29, our office recommended to the Civilian Review Board (CRB) that



they designate the resulting investigations as a community impact case. The CRB concurred in a unanimous vote.

The community impact case investigations included:

- Incident reviews offering an overview of the events on May 29, May 30, and May 31
- An incident review/catch-all for complaints about the Chief and command-level decisions
- Seven Allegation of Misconduct investigations, largely focusing on uses of force
- Two additional incident reviews, into specific incidents
- Six inquiries
- One service complaint

The investigations were substantially complete within six months and included work from the Auditor's Office, two Internal Affairs investigators, one EPD employee reviewing video nearly full time, and staff support from both the Auditor's Office and EPD Internal Affairs. EPD recorded over 600 hours of video footage of the weekend from body-worn and in-car cameras. The CRB reviewed the majority of the investigations at its December 2020 meeting; two investigative inquiries and one allegation of misconduct investigation were reviewed at the January 2021 and May 2021 meetings, respectively.<sup>1</sup>

The community impact case process allows the CRB input into the Chief's adjudication before the adjudication is final. The process also allows the CRB to re-open the investigation under certain circumstances. These cases included 13 specific allegations against seven employees. The majority of CRB members concurred with the Chief's preliminary adjudication in all but one investigation, which focused on an employee's use of a 40mm "sponge round" launcher. In that case, a majority of the CRB members disagreed with the Chief (and agreed with the Auditor) that three of the four uses of that launcher were in violation of EPD policy. The CRB's adjudication recommendations were included in a memo to the Chief, but the Chief did not change the preliminary adjudication finding. The Chief's final adjudication found that the employee's actions were within policy.

The CRB did not vote to re-open any of the investigations included in the community impact case. The group made several recommendations to the Chief on EPD policy and practice, including:

- A recommendation that the SWAT team be outfitted with body-worn cameras

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<sup>1</sup> The final allegation of misconduct was discovered during a review of body-worn video and was not opened until January 2021; that allegation is therefore not included in this 2020 annual report.

- Several changes to the policy governing the use of the 40mm “sponge round” launcher (including that it should not be used in crowd-control situations)
- Limitations on asking for mutual aid from agencies that lack accountability mechanisms such as civilian oversight
- Several changes to the training and policy governing the use of PepperBall launchers

These recommendations were included in a memo from the CRB to the Chief, in compliance with the City ordinance on community impact cases. In addition, the CRB meetings covering the community impact case are available on the City’s website, and the Auditor’s Office and CRB will be issuing a concise report on the process and outcome of the investigations.

### ***Deadly Force Investigations***

Police use of deadly force is one of the most sensitive issues our office covers, and rightfully so. Our role in oversight is primarily to ensure that investigations into the use of deadly force are thorough, fair, and complete, and then to provide transparency into the investigative process (to the greatest extent permissible under current state law). The process of investigating deadly force can be frustrating, as our office (at least initially) takes a secondary role to the Lane County Interagency Deadly Force Investigation Team (IDFIT), as set out by state law and local intergovernmental agreement. However, City code requires that our office is notified promptly of any critical incident, including police use of deadly force, and either the Auditor or Deputy Auditor responds to the scene and performs a walk-through. We also review IDFIT investigations upon their closure and release by the Lane County District Attorney to determine whether any further investigation is necessary. We participate in any further investigation and in the Deadly Force Review Board, which is convened by EPD pursuant to policy and examines the actions of the involved employees, focusing on potential policy violations and lessons learned. However, the Auditor’s Office is not a voting member of the Force Review Board under current EPD policy. The closed investigative file is available for review by the Civilian Review Board in their public meetings.

- EPD opened four force-board level investigations in 2020: one related to force used on a person who later died at the Lane County Jail, and three uses of deadly force by EPD. All four investigations were delayed due to workload issues surrounding the community impact case. While the Force Review Board has been able to review two of the incidents, EPD has not yet issued final adjudications in any of the investigations.
  - March 2020: Officers responded to a call for service that someone was screaming and acting erratically. The person had a warrant for their arrest; EPD officers used force to take the person into custody, and



they transported him to the jail. The person died while in the custody of the Lane County Jail. The incident was first opened as an incident review by the Auditor; Chief Skinner later ordered a Force Review Board to examine the incident. The incident has not yet closed.

- April 2020: Over the course of two days, officers responded to a residence to assist with the caller's adult son, who had reportedly assaulted his son and was armed and threatening suicide. Officers attempted to contact the person over the course of several hours. The person shot at officers several times before finally exiting the residence with a rifle; two officers then shot at the person. The person was injured, and the Auditor's office was notified and responded to the scene. Our office participated in a Force Review Board following the close of the IDFIT investigation. The District Attorney found that the use of deadly force was justified; EPD has not yet issued a final determination in that case.
- July 2020: Officers responded to a residence to contact a person regarding a menacing investigation. The person answered the door, pulled out a firearm from their pocket, and began shooting at officers. An officer fired their weapon back at the person as they ran for cover; the person was not hit or injured during the incident. Our office was promptly notified and responded to the scene; we also participated in the Force Review Board following the close of the IDFIT investigation. EPD has not yet issued a final determination in that case.
- November 2020: Officers contacted a person whom they had probable cause to believe had violated a restraining order and committed the crimes of assault and strangulation in a domestic violence situation. The person was seen to be armed with a knife, and two officers ultimately shot at him with their firearms. Our office was promptly notified and responded to the scene. The District Attorney found that the officers' use of deadly force was justified. The Force Review Board has not yet convened to review that incident.

### ***Ad Hoc Committee on Police Policy***

In July 2020, the Eugene City Council created the Ad Hoc Committee on Police Policy (AHCPP), with the charge of looking at current EPD policy through the lenses of Campaign Zero's 10-point plan for policing reform and the pillars of President Obama's Task Force on 21<sup>st</sup>-Century Policing. The Committee consisted of 30 members, appointed by Council, who represented marginalized groups in the community. Our office worked with the assigned staff supports for the group to

provide training around Eugene's current system of community oversight. We pulled together background materials for the group and met with staff and the Committee as a whole to answer questions. We also provided the Committee and several of the subcommittees with additional presentations (recorded separately from the meetings and provided to committee members ahead of time) related to specific issues in policing and community oversight.

The AHCPP began meeting in September 2020; our office was present at every meeting of the larger group as well as its subcommittees to answer questions on the current community oversight system. Where possible, we assisted with questions outside of the meetings as well. The AHCPP meetings continued into 2021, and the group issued its final report in April 2021. One of the central goals for our office in the coming year will be to work with the City Manager, Municipal Court Judge, and City Council to address the recommendations of the group surrounding policing and community oversight.

### ***Successfully Provided Staff Support for Civilian Review Board***

The Civilian Review Board (CRB) met ten times in 2020. The April and May meetings were cancelled due to the Covid-19 pandemic, and the September meeting was delayed due to the Holiday Farm Fire. The CRB also convened two subcommittees – one focused on bylaws, and the other focused on meeting structure – which convened at the end of June and reported back to the Board at its July meeting. All meetings, of both the Board and the subcommittees, were public meetings.

The CRB began holding its meetings virtually in June; the meetings were all recorded and made available to the public. The virtual format facilitated this change, though we did also encounter challenges due to the restrictive nature of Oregon Public Records law. Specifically, CRB members are prohibited under that law from releasing officer personnel information; if anyone slipped and mentioned identifying information, the recording would need to be edited before being posted to the public.

The CRB determined at its August meeting that it would begin reviewing more than one case at each meeting, and our staff rose to the occasion, providing extensive case materials for the remaining 2020 meetings. In addition to the community impact case, the CRB reviewed nine allegation investigations and three incident reviews. Our office is committed to providing excellent staff support for the Board, and numerous staff hours are spent on meeting preparation, recording, editing (when necessary), and uploading.

The CRB liaisons to the Police Commission, Human Rights Commission, and the AHCPP worked extensively to coordinate communication between those bodies. The

Police Commission liaison focused on bringing CRB concerns from case reviews to the Commission for relevant improvements to EPD policy, and the CRB representatives on the AHCPP worked tirelessly to illustrate how their experiences on the Board informed their recommendations and votes in that committee.

## **Community Outreach Efforts**

Outreach efforts by the Auditor's office were one of the most impacted services during 2020. Just as staff was starting to plan for our yearly Public Safety Forum, Covid-19 made its way into our community. As we all adjusted to the new "normal" of everyday life during a pandemic, our outreach efforts drastically shifted from attending in-person events and engaging one on one with community members, to attending and sharing information through virtual meetings. Bilingual staff from our office assisted City leaders to ensure sectors of the community most directly impacted during the pandemic were receiving information as new developments surrounding the pandemic and other local incidents quickly arose.

### ***Bilingual Support for Emergency Operations Center (EOC)***

Given the pandemic changed the way the Eugene community received information, the City of Eugene Emergency Operation Center (EOC) recognized the need to ensure that time-sensitive information was accessible to all Eugene residents, including those who did not speak English. Bilingual staff from our office dedicated resources for any translation inquiries including, but not limited to:

- Translation of City Manager Sarah Medary's Weekly Updates
- Covid-19 Community Updates
- Updates to the City of Eugene website as new services/resources/information became available
- Information for those affected by the Holiday Farm Fire
- Curfew information during the protests on May 29-31 and ongoing updates on the Community Impact Case
- Monthly newsletters from the Auditor's Office (in English and Spanish)

### ***Aquí en la Ciudad (Here in the City) Language Access Project***

Thanks to grant funds secured by the Office of Human Rights and Neighborhood Involvement (HRNI), our staff was able to participate in this weekly Spanish online City news segment in collaboration with local multimedia station, La E-Kiss. City of Eugene departments are encouraged to submit City-related news and services available to the Eugene community. The production team meets on a weekly basis to discuss potential topics, translate any necessary information, and draft scripts for future productions. The local Spanish-speaking community has come to recognize the weekly *Aquí en la Ciudad* programming as a reoccurring, trusted source of culturally-relevant information, including topics such as changes in City department services, support for victims affected by the Holiday Farm Fire, Covid-19 developments, support, and recovery efforts, and much more. We look forward to

continuing this partnership with HRNI to ensure underserved members of the community have access to all City services.

### ***Presentations, Collaborations, & Media Outreach***

Much of our outreach typically focuses on educating the community about the independence of our office from the Eugene Police Department. In 2020, we once again adapted and expanded in the types of conversations and collaborations we participated in, including:

- Participating in Hiring Committee for the Office of Human Rights and Neighborhood Involvement Multicultural Liaison position
- Hispanic Heritage Month joint bilingual video with Mayor Lucy Vinis
- “Stop the Spread” Covid-19 Youth Contest Judge
- Police Auditor Mark Gissiner featured as a guest speaker for Active Bethel Citizens: Building an Inclusive and Welcoming Community
- #WeCountOregon 2020 Census Participation Video for Immigrant Community
- City Club of Eugene: Accountability and Transparency in Local Law Enforcement featuring Police Auditor Mark Gissiner and Civilian Review Board Member Dr. Michael Hames-Garcia
- Civilian Review Board Member Recruitment Efforts
- Community updates on the ongoing investigation into the Community Impact Case stemming from EPD’s response to community protests on May 29-31, 2020

### ***Trainings & Conferences***

We strive for awareness on current topics affecting our community to ensure adequate services are being provided. Staff have participated in various trainings and conferences, including:

- City-wide Belonging Diversity Training
- Criminal Justice Information System (CJIS) Training
- Code 4 Listening for Success, Less Stress and More Effectiveness Training
- Code 4 Crisis Communication for the Front Desk
- Discussion of Downtown Eugene Spanish and ethnolinguistic vitality: Findings, implications and recommendations
- Police Misconduct and Racial Profiling Webinar by Civil Liberties Defense Center
- Building Racial Equity: Foundations training, by Race Forward: The Center for Racial Justice Innovation
- Critical Incident Response Assessment, by the National Association for Civilian Oversight of Law Enforcement (NACOLE)
- Approaches to Handling Protests and Demonstrations, by NACOLE
- Labor and Employment Law Section Conference, Oregon State Bar
- Accountability and Transparency in Law Enforcement: Shaping New Beginnings

### ***Tabling at local events (pre-pandemic) including:***

We look forward to attending more in-person community events in the coming year as Covid-19 restrictions are lifted.

- Asian Celebration
- Arc of Lane County Community Resources Event

### ***Regular Attendance at Reoccurring Meetings***

- Civilian Review Board
- Police Commission
- Human Rights Commission
- Latinx Outreach Network
- Immigrant Integration Network of Lane County
- Spanish Public Safety Forum Planning (pre-pandemic)
- Aquí en la Ciudad (Here in the City) weekly production meetings
- Ad Hoc Committee on Police Policy

## **Looking Ahead Goals for 2021-2022**

We are proud of our accomplishments in the immensely challenging environment of 2020, and we are looking forward to building on those accomplishments in the coming years. We will continue to focus on community outreach and fortifying our relationships and rapport throughout our diverse Eugene community; we will also continue to collaborate with partners throughout City government, including EPD leadership, to broaden accountability and transparency in policing.

We have ambitious goals for 2021, and several initiatives are already underway:

- Accessibility
  - The pandemic illustrated that an improved website interface, with an online portal for updating reporting parties on the status of their complaints, would greatly improve users' experience. We are working with the City's Information Services Division to update our website so that community members can file complaints, check on the status of those complaints, receive correspondence, and ask questions through an online portal. Especially as our face-to-face contacts continue to be limited during the pandemic, and our employees continue to work remotely (in part), we look forward to improving communication and accessibility for our users.
- Diversity, Equity, and Inclusion
  - Our office is dedicated to promoting diversity, equity, and inclusion in the civilian oversight process. Our outreach efforts have proven that positive, practical presence in the community (whether at community events, or at an event that we create) is imperative in establishing relationships with

members of our community who would not otherwise seek us out. Nationwide, tensions between communities and their police are incredibly high, and civilian oversight serves a vital function in creating avenues for communication, understanding, and ultimately a cohesive, constructive relationship. We are committed to doing the work to be allies to communities of color and marginalized communities within Eugene, and we are dedicated to helping everyone in our community feel safe, heard, and valued.

- Our office is in the unique position of having access to EPD to analyze trends and make recommendations, and of being insulated from the executive branch of City government. We are in the early stages of creating a position of a Diversity, Equity, and Inclusion Officer, who would be housed in the Auditor's Office but would have access to EPD to analyze their policies and practices (including hiring and training, promotions and discipline) through an equity lens. By bringing a critical but collaborative view to DEI issues within EPD, we hope to improve police services and community oversight for everyone in our community.
- **Deadly Force Investigations**
  - Accurate, thorough, and transparent deadly force investigations are vital to building community trust in policing. Our office is working with Internal Affairs staff and EPD leadership to improve practices surrounding deadly force investigations. The CRB has repeatedly criticized the IDFIT model, which was created by Lane County to comply with Oregon law. Changes to EPD policy and practice cannot fix the deficiencies in that model, but they can improve administrative investigations into police use of deadly force. Our office will continue to work with the CRB, Police Commission, and EPD to improve policies and practices to meet community expectations.
- **Ad Hoc Committee on Police Policy Recommendations**
  - The AHCPP issued several recommendations surrounding policing and community oversight. Council has appointed the Auditor, City Manager, and the Municipal Court Judge to examine the recommendations of the AHCPP and determine next steps for the City. We are excited to work with this team of Council employees to strengthen the City's status as a leader in public safety and community oversight.
- **Early Intervention System**
  - We began work in 2020 on implementation of an Early Intervention System for police employees, and our progress was somewhat derailed by the events of 2020. Our office and EPD collect an immense amount of data on EPD employee behaviors, and we are working together to use that data to identify employees who may be in need of assistance. We want to ensure that employees feel supported in addressing whatever challenges they are experiencing; we also hope that a more proactive, data-driven



approach will result in better outcomes for the community and the involved employees. We are grateful for Chief Skinner's appreciation and inclusion of our office in this process, and we are committed to creating an effective intervention model.

- Core Competencies

- o We will continue to focus on maintenance of our core competencies: intake and classification of complaints, monitoring and participating in investigations, making recommendations with regard to adjudication of complaints, and review of reportable uses of force. 2020 taught us that we cannot predict the events that may require flexibility and adaptability, but we also learned that we can and will continue to provide the highest level of customer service regardless of challenges. We are happy to offer bilingual services at our office, and we hope to continue to expand the availability of those services.

- CRB Support

- o One final focus of our office is our staffing obligations to the Civilian Review Board. Our Board is made up of enthused, involved volunteers, and we prioritize our continued provision of excellent staffing to meet their needs. We improved our onboarding process of new CRB members in 2020, and we look forward to welcoming more new members to the board in the summer of 2021. We value this opportunity to have Board membership from different parts of the community, and we will focus on ensuring that all members feel prepared and welcome to contribute to the conversations on the Board.

## Challenges for 2021-2022

The challenges that came to the forefront in 2020 – specifically, the pandemic and the racial justice reckoning – will continue to present challenges in 2021. However, we have learned that we can be both flexible in how we provide service and unwavering in our commitment to our community. Our experience navigating through 2020 will only aid us in confronting the challenges of the coming years.

Pandemic-related challenges appear to be waning, but we are still limited in how we engage in-person with our community. We are looking forward to re-establishing our Public Safety Forums and to meeting community members face-to-face. We anticipate that we will be able to re-open our doors to walk-in complaints, but it is difficult to predict exactly when that may occur. We will continue to be flexible in our community engagement and complaint intake efforts.

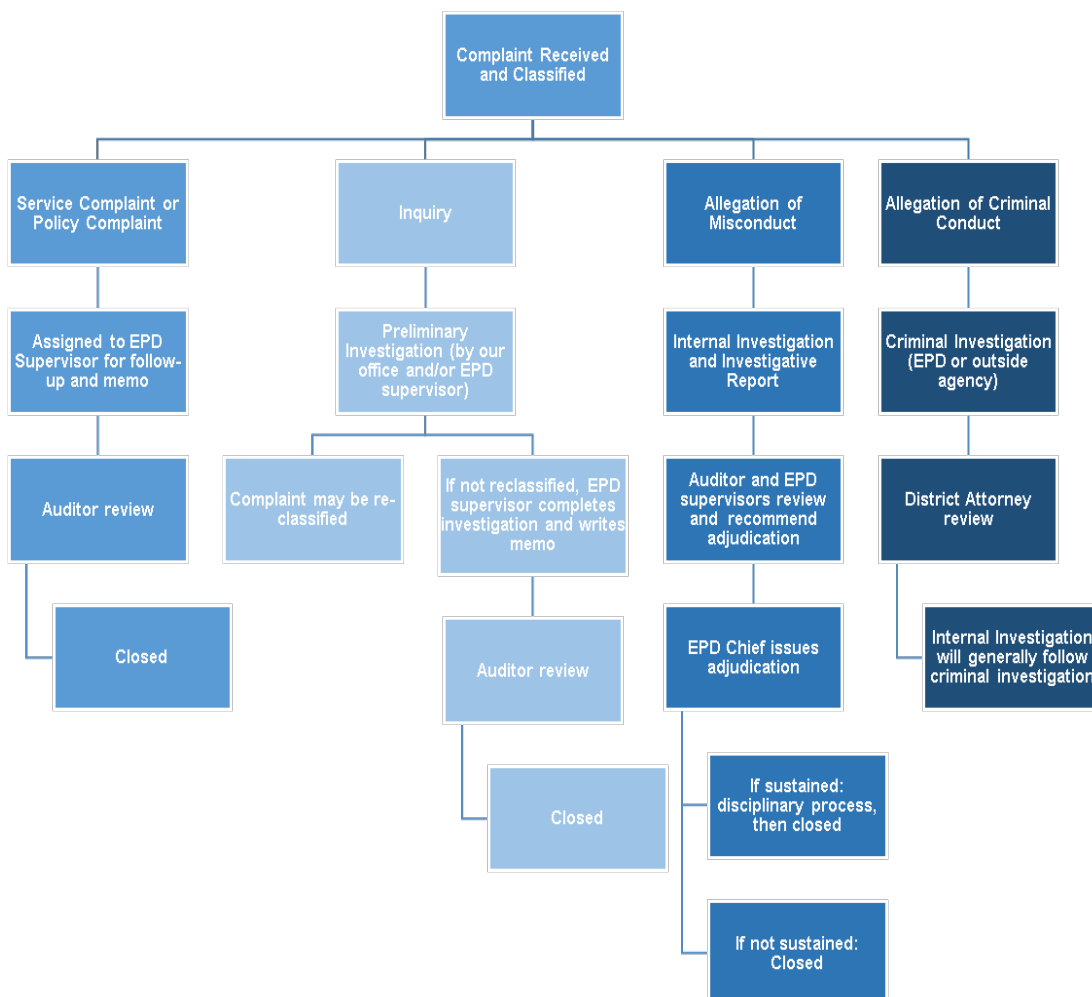
In addition, the nationwide tension between communities and the police is a continuing challenge. The time of unrest and community outrage following George Floyd's murder was extraordinarily difficult and painful. Times of reckoning always

are. Our office is well-situated to help our community emerge from this time stronger, and with a greater understanding of each other's lived experiences. Eugene is fortunate to have a robust civilian oversight system, and the challenges of 2020 offered clarity into many of its strengths and areas for improvement. A central challenge of 2021 will be applying what we have learned.

We also anticipate challenges in 2021 related to staffing in our office. Our Auditor, Mark Gissiner, retired in early 2021, and the Deputy Auditor, Leia Pitcher, was appointed Interim Police Auditor. We are working to hire two Associate Auditors to address the increased workload of the past few years. Bringing a team together during this exceptional time will present a unique challenge, but we are looking forward to bringing fresh perspectives to our work.

We are optimistic about meeting these and any other challenges that arise in the next year; our staff is experienced, engaged, and committed to providing excellent service to the community.

## Understanding the Complaint Process



Any complaint may be selected for possible mediation, which follows a different process.

The Civilian Review Board may review any closed case involving a sworn Eugene Police employee.

Community Impact Cases and complaints against the EPD Chief follow the processes set out in Eugene City Code §2.244 and §2.454, respectively.








# 2020 Complaint and Commendation Statistics

## Classification and Source of Complaints

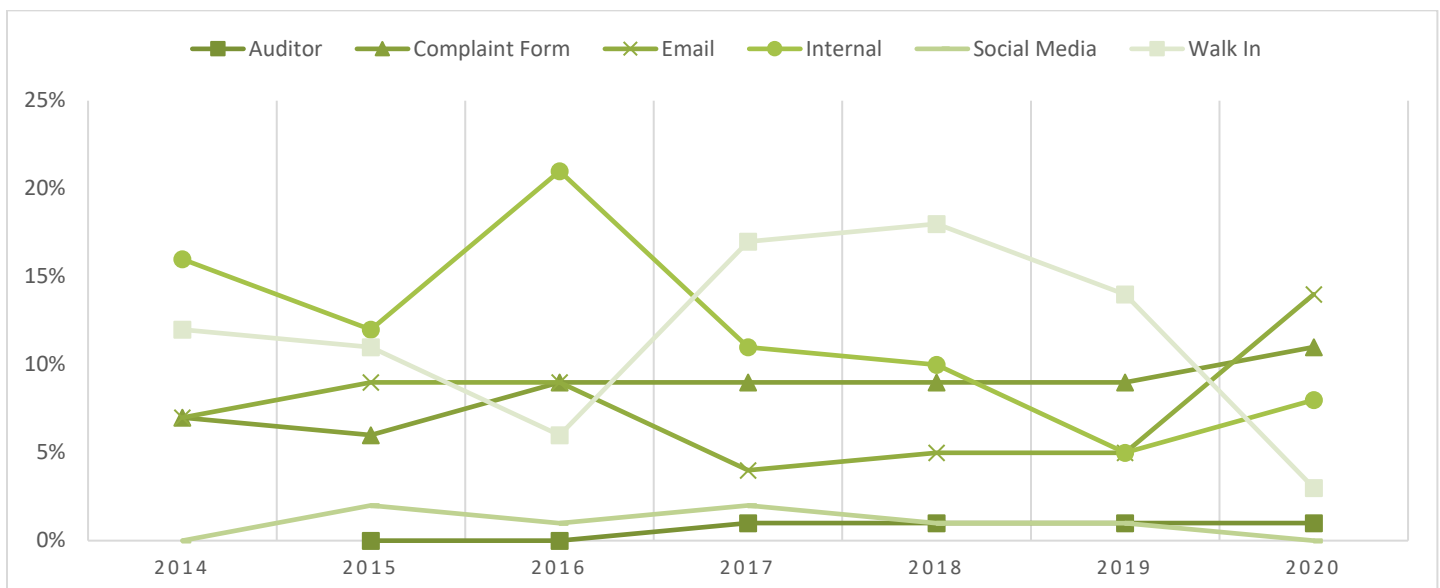
Our office received 407 complaints (from both the community and members of EPD) in 2020, which was an 8.7% decrease from 2019.

Classification	2018	2019	2020
Allegation of Misconduct	21	28	33
Allegation of Criminal Conduct	3	4	3
Incident Review	18	14	31
Respectful Work Environment	1	4	1
Inquiry	135	143	132
Policy Complaint	34	49	58
Service Complaint	181	208	145

Because we received a record number of complaints in 2019, the 2020 total was still higher than our 10-year average of 385 complaints. Allegations of misconduct and policy complaints increased by about 15% each, incident reviews more than doubled, and service complaints decreased by about a third.

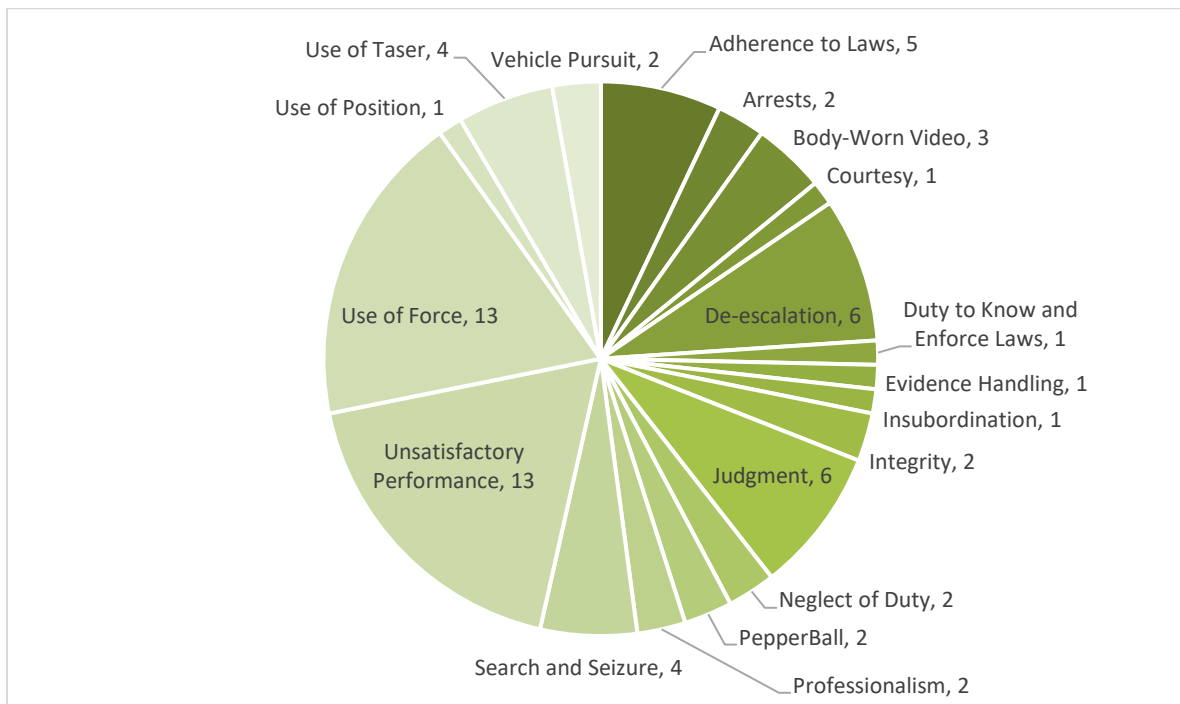
	2020 Result	Trend from 2019
Community Complaints	<b>364</b>	
Internally generated complaints	<b>31</b>	
Uses of Deadly Force	<b>4</b>	
Allegations of Misconduct (including Criminal Conduct)	<b>36</b>	
Days to close Supervisor Actions (average)	<b>21</b>	

The most common method used by the community to file complaints with our office continues to be the telephone (55%). The phone has consistently been the source of at least half of our complaints. Walk-in complaints dropped substantially (from 14% of complaints to 3%), which was not surprising as our office was closed to walk-ins for a substantial portion of the year due to the Covid-19 pandemic. Email complaints increased in about the same proportion, from 5% of our complaints in 2019 to 14% in 2020.



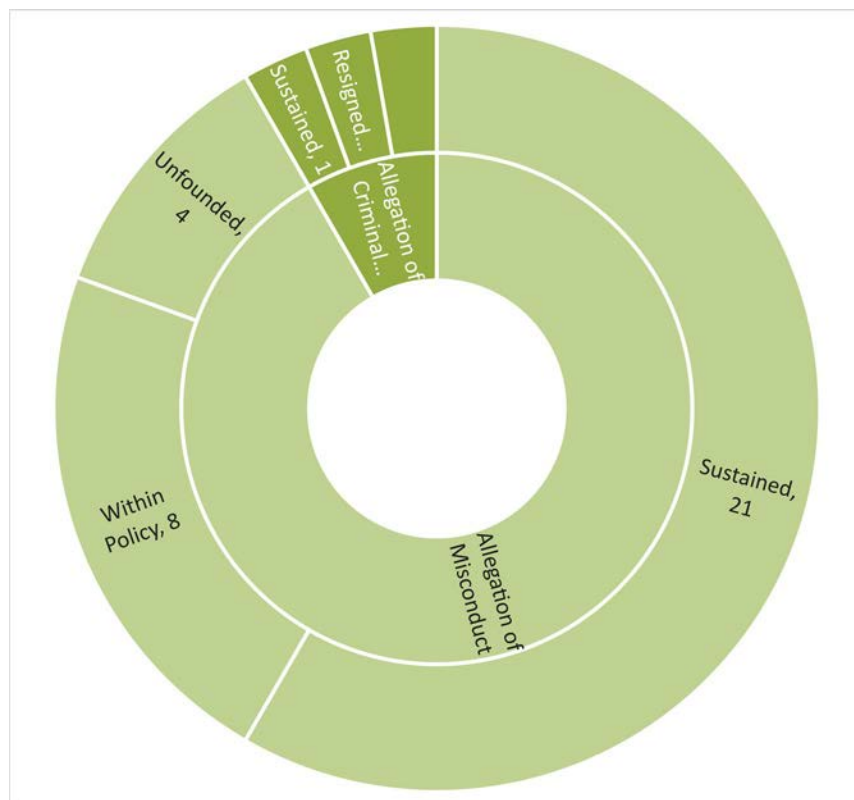
## Allegations

The 33 allegations of misconduct and 3 allegations of criminal conduct included 71 specific allegations against 34 EPD employees. A summarization of all allegations is attached to this report as Appendix A. The most common allegations were unsatisfactory performance and use of force.



## Disposition

Of the three allegations of criminal conduct, one was dismissed when the reporting party recanted, one resulted in a sustained allegation (for a violation of policy, not law), and one employee resigned during the investigation (the District Attorney currently has jurisdiction over the criminal prosecution). In addition, 21 of 33 investigations into alleged misconduct resulted in a sustained allegation against one or more employees, for an overall sustained rate of 64%.



## Sustained Allegations and Discipline

**46% of Specific Allegations were Sustained**

Sustained Policy Violations:

- 8 Unsatisfactory Performance
- 4 Judgment
- 3 Body-Worn Video
- 3 De-escalation
- 3 Search and Seizure
- 3 Use of Taser
- 2 Adherence to Laws
- 2 Arrests
- 2 Use of Force
- 1 Evidence Handling
- 1 Neglect of Duty
- 1 Professionalism

21 employees (17 sworn employees and 4 non-sworn) were found to have committed the 33 specific sustained allegations. One employee received both documented counseling and oral reprimands following two separate incidents. Discipline for one employee is not yet finalized.



## Incident Reviews

Incident Reviews were created in 2016 as an intermediate category between allegations of minor misconduct (“Supervisor Actions”, see below) and allegations of serious misconduct. Our office participates in Internal Affairs’ investigations into incident reviews, and prior to interviewing the involved employee, our office consults with Internal Affairs to determine if the complaint should be reclassified (for instance, if it appears serious misconduct occurred) or if the investigation to date is thorough, fair, and complete. Thirty-one incident reviews were not reclassified and remained as Incident Reviews (summaries of all Incident Reviews are included in Appendix B). Six of the 31 were included as part of the community impact case; 11 incident reviews in total were related to some of the community demonstrations that took place over the course of 2020.

Most incident reviews were related to performance (18), use of force (6), or conduct (5). Twenty-eight incident reviews were closed out after the IA investigation; the other three were dismissed (one was outside of our jurisdiction, and two were incidents in which no policies were found to be violated following the preliminary investigation).

# Inquiries, Policy Complaints, and Service Complaints

## Inquiry

A complaint is classified as an inquiry when it appears that the reporting party has generalized concerns or confusion about an incident.

## Policy Complaint

A complaint is classified as a policy complaint when the reporting party is concerned about a specific EPD policy.

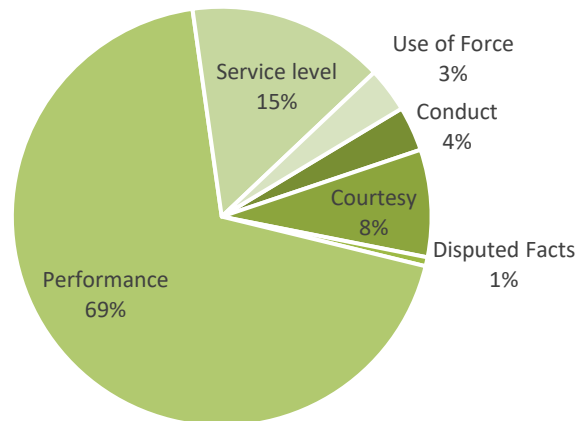
## Service Complaint

A service complaint is a complaint of minor misconduct.

Inquiries, policy complaints, and service complaints are all forwarded to EPD supervisors for follow-up with the reporting party; all three are therefore categorized as “supervisor action”. Our office reviews the complaint before it is closed and contacts the reporting party with a closing letter and a survey. A summary of these complaints is included as Appendix B. Inquiries and policy complaints remained relatively steady from 2019-2020; service complaints decreased to 145 from our high of 208 in 2019.

Most inquiries and policy complaints were handled by the supervisor and closed (74 of 132 inquiries and 55 of 58 policy complaints); the others were dismissed or closed following a preliminary investigation. Service complaints, always the most common type of complaint, were focused on performance (100 complaints), followed by service level (22 complaints).

Service Complaints by Sub-Classification



## Conclusion

We wish to thank the outstanding volunteers on the Civilian Review Board, past and present, as well as the members of the Police Commission, Human Rights Commission, and the Ad Hoc Committee on Police Policy, for volunteering their time and donating their labor to work to improve police and community oversight. We truly appreciate the tremendous support provided to our office by the Central Services Division for assistance with finances, information technology, and employee resources. The City Manager’s Office, the City Attorney’s Office, and the Eugene Police Department have all aided our office in accomplishing its core function and goals. Specifically, EPD Chief Chris Skinner, Deputy Chief Stacy Jepson, and the EPD Internal Affairs Team significantly contribute to the smooth functioning of our office through their collaborative efforts. Finally, we wish to thank the Mayor and City Councilors for having patience and taking the time and energy to be effectively involved in the evolution of the community oversight process in Eugene.

Appendix A: Allegations of Misconduct and Criminal Conduct

Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Allegation that an officer violated policy by failing to lodge evidence at that Evidence Control Unit prior to the end of their shift.	Allegation of Misconduct: Performance	1104 Evidence and Property Handling	S	S	S	1/20/2020	2/6/2020	3/9/2020	4/8/2020	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal allegation that an officer's taser deployment on a suspect who was running away was outside policy.	Allegation of Misconduct: Use of Force	809 Taser Use	S	S	S	2/6/2020	2/27/2020	6/1/2020	7/8/2020	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
While in custody in another jurisdiction, the reporting party alleged that they were sexually assaulted by an EPD officer three years ago. Investigation was routed to OSP. When contacted, the RP stated that she had not been assaulted and could not remember making that statement.	Allegation of Criminal Conduct: Conformance to Laws		N/A - Dismissed following contact with RP			2/28/2020			5/6/2021	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
EPD chain of command and community complaint that an officer's use of force (elbow, hand and arm strikes to the head during an arrest) appeared to be outside policy.	Allegation of Misconduct: Use of Force	800 Use of Force	WP	WP	WP	3/23/2020	4/8/2020	6/1/2020	6/10/2020	Sep-20

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Appendix A: Allegations of Misconduct and Criminal Conduct

Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Review of a use of force revealed that a supervisor appeared to have muted their microphone in violation of policy.	Allegation of Misconduct: Performance	1209.7 Body - Worn Video	S	S	S	4/1/2020	4/30/2020	6/6/2020	6/29/2020	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal allegation that a non-sworn employee was sleeping on duty.	Allegation of Misconduct: Performance	103.5.19 Neglect of Duty	S	S	S	4/17/2020	7/29/2020	8/11/2020	9/16/2020	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Review of a use of force indicated that an officer's improper application of an arm-hold appeared to be in violation of policy.	Allegation of Misconduct: Use of Force	800 Use of Force	WP	S	S	5/5/2020	5/27/2020	9/8/2020	10/13/2020	Oct-20
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP alleged that a police report had not been completed about a vicious dog bite.	Allegation of Misconduct: Performance	103.5.14 Unsatisfactory Performance	S	S	S	5/7/2020	6/4/2020	7/9/2020	9/16/2020	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
An investigation into the EPD response to a dog bite indicated that the call may have been dispatched improperly.	Allegation of Misconduct: Performance	103.5.14 Performance	UF	UF	UF	5/18/2020	6/22/2020	7/9/2020	7/27/2020	

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Internal complaint that an employee was insubordinate to a supervisor.	Allegation of Misconduct: Conduct	103.5.17 Insubordination	UF	UF	UF	5/19/2020	6/23/2020	7/9/2020	7/27/2020	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Review of an officer's use of a Taser while affecting an arrest for assault indicated that the use of the Taser may have violated policy.	Allegation of Misconduct: Use of Force	809 Taser Use	WP	S	S	5/26/2020	6/24/2020	8/8/2020	10/7/2020	Oct-20
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP alleged to an EPD supervisor that an officer engaged in criminal sexual misconduct while on duty. A criminal investigation was conducted by Salem Police; the employee resigned during the investigation. Criminal charges are pending with the Lane County DA.	Allegation of Criminal Misconduct: Conformance to Laws		N/A - Employee Resigned During Investigation			5/28/2020			5/7/2021	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Allegation that an employee failed to dispatch a 911 call to the correct agency.	Allegation of Misconduct: Performance	103.5.14 Performance	S	S	S	5/29/2020	7/6/2020	7/10/2020	9/30/2020	
		103.5.14 Performance	S	S	S					
		103.5.14 Performance	S	S	S					

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP complained about the circumstances of their arrest; review of the arrest indicated that the officer had made the arrest based on evidence obtained in an improper search of personal property.	Allegation of Misconduct: Constitutional Rights	1011.1.B.9 Unsatisfactory Performance	S	S	S	6/4/2020	8/13/2020	8/31/2020	10/30/2020	
		322 Search and Seizure	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
<u>Part of Community Impact Case:</u> Review of use of force reports indicated that a supervisor's use of a 40 mm "sponge round" launcher during crowd control may have violated policy.	Allegation of Misconduct: Use of Force	800 Use of Force	WP	S	WP	6/17/2020	11/10/2020	11/30/2020	2/1/2021	Dec-20  CRB concurred with Auditor Adjud.
		800 Use of Force	WP	WP	WP					
		800 Use of Force	WP	S	WP					
		800 Use of Force	WP	S	WP					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
A partner agency reported that an employee appeared to have failed to perform the required tasks and duties of their position by not dispatching emergency medical services as required.	Allegation of Misconduct: Performance	103.5.14 Performance	S		S	7/21/2020	8/19/2020	8/31/2020	9/25/2020	

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Part of Community Impact Case: Review of video footage showed that a supervisor used profanity while interacting with the public, potentially in violation of policy.	Allegation of Misconduct: Courtesy	103.5.8 Courtesy	WP	WP	WP	8/6/2020	9/9/2020	11/30/2020	2/5/2021	Dec-20
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP was concerned about how the arrest of her adult son, who was experiencing a mental health crisis, was handled.	Allegation of Misconduct: Use of Force	820 De-escalation	WP	WP	WP	8/6/2020	9/30/2020	10/21/2020	10/30/2020	Nov-20
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Part of Community Impact Case: RP alleged that an officer used excessive force on her daughter during a protest.	Allegation of Misconduct: Use of Force	800.2.2 Use of Force	WP	WP	WP	8/6/2020	11/4/2020	11/30/2020	2/9/2021	Dec-20
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Part of Community Impact Case: Our office received several complaints that EPD officers used excessive force against a member of the press.	Allegation of Misconduct: Use of Force	800 Use of Force	S	S	S	8/6/2020	3/4/2021	11/30/2020	3/4/2021	Dec-20

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Part of Community Impact Case: Investigation into the use of PepperBalls for crowd control, including one specific incident that appeared to potentially violate policy.	Allegation of Misconduct: Use of Force	800 Use of Force	WP	WP	WP	8/12/2020	10/27/2020	11/30/2020	5/20/2021	Dec-20
		804 PepperBalls	WP	WP	WP					
		800 Use of Force	WP	WP	WP					
		800 Use of Force	WP	WP	WP					
		804 PepperBalls	WP	WP	WP					
Summary of Complaint	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	CRB Review?
Part of Community Impact Case: Review of video footage indicated that a supervisor may have used poor judgment while giving directions to a team of officers regarding crowd control.	Allegation of Misconduct: Performance	103.4.1 Judgment	WP	WP	WP	9/14/2020	10/8/2020	11/30/2020	1/28/2021	Dec-20
Summary of Complaint	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	CRB Review?
EPD supervisor reported that officers appeared to have placed a citizen under arrest without a valid warrant or probable cause.	Allegation of Misconduct: Constitutional Rights	300 Constitutional Rights Arrests	S	S	S	9/27/2020	11/12/2020	12/9/2020	2/12/2020	Mar-21
		103.5.14 Unsatisfactory Performance	S	S	S					
		103.5.14 Unsatisfactory Performance	S	S	S					
		300 Constitutional Rights Arrests	S	S	S					

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
EPD supervisor reported that an employee had not displayed good judgment or knowledge of the law at a call; review of the incident indicated that the officer also stopped their video repeatedly and may have compromised their honesty when questioned about how they were carrying a firearm.	Allegation of Misconduct: Conduct	103.5.12 Duty to Know and Enforce Laws	Sgt: WP Lt: WP	WP	WP	10/8/2020	3/29/2021	4/27/2021	Not yet closed	
		103.4.1 Judgment	Sgt: WP Lt: S	S	S					
		103.4.1 Judgment	Sgt: UF Lt:UF	S	UF					
		1203.7.3 Body-Worn Video	Sgt: S Lt: S	S	S					
		103.4.3 Integrity	Sgt: UF Lt:UF	IE	UF					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed		
Auditor-initiated allegation that officers did not use de-escalation during an confrontation with a suspect and used excessive force for the situation.	Allegation of Misconduct: Use of Force	820 Use of Force De-escalation	WP	S	WP	10/14/2020	11/24/2020	12/21/2020	2/9/2020	Feb-21
		103.5.14 Unsatisfactory Performance	WP	WP	WP					
		800 Use of Force	WP	WP	WP					
		820 Use of Force De-escalation	S	S	S					
		103.4.2 Professionalism	WP	WP	WP					
		103.5.14 Unsatisfactory Performance	WP	WP	WP					
		800 Use of Force	WP	WP	WP					

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
An EPD supervisor reported that an officer appeared to have compromised their honesty when arranging for a shift swap and not completing proper paperwork.	Allegation of Misconduct: Conduct	103.4.3 Integrity	UF	UF	UF	10/15/2020	3/25/2021	4/26/2021	5/4/2021	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Review of a use of force indicated that an employee displayed unprofessional behavior and may have violated policy during a contact that resulted in a use of a Taser and an arrest.	Allegation of Misconduct: Use of Force	820.3 De-escalation	WP	S	WP	10/15/2020	3/31/2021	5/6/2021	Not yet Closed	
		103.4.2 Professionalism	S	S	S					
		103.5.14 Unsatisfactory Performance	WP	WP	WP					
		809 Use of Taser	WP	WP	WP					
		1203.7.1 Body-Worn Video	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Reporting Party complained that an officer placed RP under arrest rather than RP's son, who was attempting to turn himself in.	Allegation of Misconduct: Performance	103.4.1 Judgment	N/A - Employee admitted violation in an expedited process		S	10/24/2020	N/A	12/16/2020	3/4/2021	

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Review of a use of force indicated that an officer may have failed to de-escalate and deployed their Taser in violation of policy.	Allegation of Misconduct: Use of Force	820 De--escalation	S	S	S	11/9/2020	12/14/2020	1/26/2021	3/19/2021	Mar-21
		809 Taser Use	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
A supervisor reported that an officer failed to respond to a call for service in a timely manner, and failed to adequately perform as the primary officer when they did arrive.	Allegation of Misconduct: Performance	103.5.19 Neglect of Duty	WP	WP	WP	11/11/2020	4/1/2021	4/26/2021	5/4/2021	
		103.5.14 Unsatisfactory Performance	UF	UF	UF					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP reported an officer has been trying to use their position as an officer to get a relative a job, and that the officer inserted their opinion into an HR matter.	Allegation of Misconduct: Conduct	103.5.2 Conduct: Use of Position/ Authority	UF	UF	UF	11/12/2020	1/20/2021	2/17/2021	3/15/2021	
		103.4.1 Judgment	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
A supervisor reported that an employee failed to exercise good judgment or to de-escalate a disorderly subject while responding to a call of a loud party where people were violating Covid restrictions.	Allegation of Misconduct: Constitutional Rights	820 De-escalation	S	S	S	11/12/2020	12/2/2020	12/9/2020	12/14/2020	Feb-21
		103.4.1 Judgment	S	S	S					

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Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP complained to a different law enforcement agency that an officer had not stopped texting RP after RP told them to stop; this investigation also examined whether the officer reported the contact with law enforcement to their supervisor in a timely manner.	Allegation of Criminal Conduct: Conformance to Laws	103.5.4.a Adherence to Laws [telephonic harassment]	IE	IE	IE	11/18/2020	1/15/2021	2/17/2021	3/9/2021	
		103.5.4.b Adherence to Laws [failure to report]	S	S	S					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
RP reported an EPD vehicle traveling at an excessive speed; ICV confirmed that an officer was driving at high speeds in a non-emergency situation.	Allegation of Misconduct: Conduct	103.5.4 Adherence to Laws [speeding violation]	N/A - Employee admitted violation in an expedited process		S	12/2/2021	N/A	2/19/2021	4/8/2021	
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
Review of a vehicle pursuit indicated that the initiating officer may have violated policy, as well as a supervisor who failed to terminate the pursuit.	Allegation of Misconduct: Performance	814 Vehicle Pursuit	WP	WP	WP	12/15/2020	1/28/2021	3/1/2021	3/11/2021	Apr-21
		814 Vehicle Pursuit	WP	WP	WP					
Summary of Complaint	Allegations		Adjudication			Dates/QC				CRB Review?
	Auditor's Classification	POM Violations	EPD Chain of Command	Auditor	Chief	Intake	IA Report	Adjudication	Closed	
A review of a use of force indicated that EPD employees may have entered a residence without a warrant or a valid exception to the warrant requirement.	Allegation of Misconduct: Constitutional Rights	322 Search and Seizure	S	S	S	12/22/2021	2/5/2021	3/4/2021	4/8/2021	
		322 Search and Seizure	S	S	S					
		322 Search and Seizure	WP	WP	WP					

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## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/2/2020	1/15/2020	13	Service Complaint/ Performance	RP reported an officer who did 2 U-turns near her home in the middle of a busy road.	Supervisor spoke with RP about her concerns and relayed them to the officer.
1/2/2020	1/15/2020	13	Inquiry	RP reported that officers left water running in a motorhome after serving a search warrant.	Supervisor reviewed the records and video from the warrant and learned that officers behaved in a professional manner throughout the search. At one point, officers standing in the driveway noticed water suddenly pour out of the travel trailer, officers actually turned off the hose feeding the trailer to prevent further flooding. RP did not return calls to discuss findings.
1/3/2020	1/3/2020	0	Inquiry <b>Dismissed: Alternate Remedy</b>	RP was upset about a citation she received for harassment.	<b>Dismissed: Alternate Remedy</b>
1/6/2020	1/29/2020	23	Inquiry	RP inquired into why an officer drove by her and turned around at least 4 times.	Sgt. was unable to identify the officer involved. RP did not return calls for further information.
1/6/2020	2/6/2020	30	Service Complaint/ Performance	RP was upset that an officer left the scene of an incident without talking with all witnesses making it seem as if he was the one involved.	Sgt. found that the officer that contacted RP was not the primary investigating officer. RP was contacted as an area canvas, other folks were contacted by other officers.
1/7/2020	1/22/2020	15	Policy	RP requested EPD implement training for officers to choose a lesser intensity of force to prevent citizen injuries.	Sgt. spoke with RP about their concerns.
1/8/2020	2/5/2020	27	Service Complaint/ Service Level	RP is unhappy an officer has not called him back about a theft from his home.	Sgt. found that the officer had made numerous notes in his investigation about messages left with RP but had been unable to make contact. Sgt. updated RP on their case.
1/8/2020	1/31/2020	23	Inquiry	RP was upset that an EPD officers allowed a tow of his car from in front of his home.	Sgt. reviewed records and learned that the officer was only on an agency assist and that RP's complaint was with parking control.
1/9/2020	1/10/2020	1	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP reported an officer who put a woman in a choke hold during a welfare check.	<b>Dismissed: Outside Jurisdiction</b>
1/14/2020	1/16/2020	2	Service Complaint/ Service Level	RP was concern that all of his calls to EPD did not appear to be in the call log.	Supervisor ran RP's information and was able to verify that each of RP's calls to EPD had indeed been documented. Supervisor spoke with RP about the findings.
1/16/2020	2/11/2020	25	Service Complaint/ Performance	RP was dissatisfied with an investigation into a hit and run.	Lt. learned that the investigator was not able to establish that the owner of the car was the driver at the time of the collision, so the case was suspended. Lt. spoke with RP about his findings.



## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/17/2020	1/30/2020	13	Service Complaint/ Performance	RP was upset that a police report was never filed when his 12 year old and his ex's boyfriend had an altercation.	Supervisor reviewed records and body cams and found that the officer conducted a thorough investigation and determined no criminal incident had occurred. The best resolution was for the parties to be separated. Due to no criminal activity no police report was required. The supervisor spoke with RP about his findings.
1/21/2020	3/12/2020	51	Inquiry	RP reported various police agencies and EPD keep showing up at his home demanding his phone number and harassing him.	Sgt. learned that an EPD officer was assigned to complete compliance checks and had a brief, cordial, and professional contact with RP. RP did not return voice messages.
1/22/2020	3/3/2020	41	Policy	RP felt an officer was not following the law when he was cited for speeding.	Sgt. contacted RP and explained the difference in the laws and how they each applied to the citation given.
1/23/2020	1/27/2020	4	Inquiry <b>Dismissed: Other</b>	RP watched an officer cite a girl who ran a stop sign on her bike and did not believe it was necessary.	<b>Dismissed: Other</b>
1/23/2020	1/24/2020	1	Inquiry <b>Dismissed: Other</b>	RP is frustrated with the lack of help he is receiving from law enforcement concerning people using his phone to send messages to his brain.	<b>Dismissed: Other</b>
1/24/2020	1/27/2020	3	Inquiry <b>Dismissed: Other</b>	RP reported issues with the federal government monitoring his movements and when he fights back EPD jumps in to uphold the law and does not help him.	<b>Dismissed: Other</b>
1/18/2020	2/20/2020	32	Incident Review: Performance	Internal complaint that an officer's demeanor and disruptive manner was a distraction during a police action.	Sgt. found that the complaint involved a larger policy issue with how other agencies' vehicle pursuits were handled within the City. The concern was forwarded up the chain of command.
1/24/2020	2/10/2020	16	Service Complaint/ Use of Force	RP alleged that an officer used excessive force when contacting him.	Sgt. found that officers responded to a call for service for a potential kidnapping with a gun in the car. Officers used a department-trained control hold to bring RP into custody. Sgt. contacted RP about his findings.
1/24/2020	2/18/2020	24	Service Complaint/ Use of Force	RP alleged that an officer used excessive force when contacting her.	Sgt. found that officers responded to a call for service for a potential kidnapping with a gun in the car. Officers used a department-trained control hold to bring RP into custody. Sgt. contacted RP about his findings.

Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/28/2020	1/30/2020	2	Inquiry <b>Dismissed: Timeliness</b>	RP felt an officer abused his power when he was arrested for getting cannabis ash on an officer.	<b>Dismissed: Timeliness</b>
1/29/2020	1/30/2020	1	Service Complaint/ Performance <b>Dismissed: Previously Reviewed</b>	RP wrote to the chief about an issue with a dog bite from 2018.	<b>Dismissed: Previously Reviewed</b>
1/29/2020	2/18/2020	19	Service Complaint/ Performance	RP reported an EPD officer driving erratically on 11th Avenue.	Sgt. found that the officer involved was with a training officer at the time who would have reported driving issues. Sgt. spoke with RP who stated that her real concern was how slow the officer was driving.
1/30/2020	2/4/2020	4	Inquiry <b>Dismissed: Other</b>	Anonymous RP reported officers blocking the driveway of a business.	<b>Dismissed: Other</b> RP did not leave contact information for follow up.
1/31/2020	2/5/2020	5	Inquiry <b>Dismissed: Timeliness</b>	RP reported an issue from 2013 that he felt was obstruction of justice.	<b>Dismissed: Timeliness</b>
2/3/2020	2/19/2020	16	Inquiry	RP was upset that she was arrested for DUII when her BAC was 0.0 and that she was taken to another location to have further testing.	Sgt. reviewed records and body cams of the incident and found that the officer followed protocol and procedures with the stop. After the BAC was performed the officer gained consent from RP to do a drug recognition evaluation which is done at another location. RP did not return calls to the Sgt.
2/4/2020	3/16/2020	42	Service Complaint/ Performance	RP reported an officer was over zealous when citing him for parking at the airport. RP felt threatened.	Sgt. reviewed body cam and found that RP was not actively loading or unloading at the time of the citation. The sergeant did not find any policy violations and spoke with RP about his findings.
2/5/2020	3/16/2020	41	Inquiry	RP reported an officer who was rude and would not turn off his strobe light when asked due to his fiancé having a seizure disorder.	Review of body cam from the stop found that the officer could have handled the stop with more patience and it was not up to EPD standards of courtesy. Sgt. spoke with the officer and the RP about the stop.
2/5/2020	2/24/2020	19	Service Complaint/ Performance	RP reported a mail fraud incident in which EPD was not willing to pick up a fraudulent check.	Supervisor reviewed the call and found that the call taker gave RP the correct information for disposing of the check. Supervisor contacted RP who had turned it over to the USPS.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
1/29/2020	10/2/2020	243	Inquiry	RP was concerned at how an EPD supervisor handled issues that arose during a meeting between community stakeholders about outreach to the unhoused.	Lt. spoke with RP about their concerns and forwarded a recommendation to the Chief that EPD training division provide department wide training on diversity, equity and inclusion. The Chief also followed up with RP.
2/6/2020	2/26/2020	20	Inquiry	RP is frustrated that his stolen car was towed when it was recovered and now he has a huge towing and storage fee.	Sgt. found that at the time the vehicle was recovered officers tried contacting RP. Policy dictates that if the party can not be notified the vehicle is towed. Sgt. spoke with RP about the incident and policy.
2/5/2020	3/20/2020	45	Inquiry	RP has been unable to get information on a mail fraud case and needs to add follow up information.	Sgt. learned that the case had expanded during the investigation and was still actively being pursued. Sgt. spoke with RP updating her on the case.
2/10/2020	3/11/2020	31	Inquiry	RP alleged that some of his property was missing after an arrest.	Body cam confirmed that only three items were taken from RP during the arrest and each item was listed on the property sheet and lodged by officers. Sgt. spoke with RP about the findings.
2/11/2020	3/11/2020	30	Inquiry	RP alleged that he is being harassed by EPD, officers looking in his car, and being questioned if his car was his during a stop.	Sgt. reviewed body cam and found that the traffic stop was within policy, the officer asked about the ownership of the car before he was given the registration. RP was given a warning. Sgt. also researched call logs for the area around RP's home and found no EPD activity in the area. RP did not return calls from the Sgt.
2/19/2020	2/26/2020	7	Inquiry	RP reported being harassed by EPD and cited various police contacts.	Sgt. reviewed the police contacts cited by RP and found that they were community calls for serve due to criminal activity. No policy violations were found.
2/20/2020	2/25/2020	5	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP felt harassed by a guard at the Library.	<b>Dismissed: Outside Jurisdiction</b>
2/21/2020	3/3/2020	12	Incident Review	Examination into an officer's use of a Taser.	Review of body cam found that due to the circumstances of the suspect escaping from the officer and not having been searched for weapons the use of taser was within policy.

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2/24/2020	3/23/2020	29	Inquiry	RP was upset that during his arrest his baseball cards were confiscated.	Sgt. found that RP had given consent to the officer to search his vehicle during his arrest and to safekeep the cards. Sgt. spoke with RP and provided the steps RP needed to take to retrieve his belongings.
2/24/2020	3/26/2020	32	Policy	RP was concerned that officers did not address speeding vehicles that were passing a protest at the fairgrounds.	Sgt. spoke with RP about his concerns and noted that RP's idea of placing a patrol car visible on the street might have deterred the speeders.
2/24/2020	3/3/2020	9	Service Complaint/ Service Level	RP has been unable to get EPD or Parking Services to enforce parking on the street behind his home.	Sgt. learned that the street in question is a private road and neither EPD or parking services has jurisdiction over parking on the street. Sgt. contacted RP with the findings.
2/24/2020	3/12/2020	18	Service Complaint/ Performance	RP was upset that no action was taken when he found a woman going through his belongs and she wasn't arrested. RP also felt this was due to the officer having had other interactions with him.	Sgt reviewed body cam and found that the officer completed a thorough investigation but did not have probable cause to make an arrest. Sgt. spoke with RP to explain why the officer could not make the arrest.
2/24/2020	3/12/2020	18	Service Complaint/ Performance	RP was upset that a man who had stabbed him was sitting on a park bench. RP wanted to know why the man was not in jail.	Sgt. found that the investigation at the time found that the incident was a mutual combat situation with both parties receiving injuries and that the investigation was ongoing.
2/24/2020	3/24/2020	30	Inquiry	RP questioned why a school was not locked down when a naked man was nearby.	Sgt. corresponded with RP about his concerns and provided insight into how the incident was handled.
2/25/2020	3/5/2020	10	Inquiry	RP was upset that on officer did not seem to believe her by the words he used when she reported a restraining order violation.	After review of body cam and speaking with RP, Sgt. found no policy violation and found no probable cause existed to make an arrest.
2/25/2020	2/26/2020	1	Inquiry <b>Dismissed: Timeliness</b>	RP alleged that an officer made up things he said in a police report.	<b>Dismissed: Timeliness</b>
2/25/2020	3/27/2020	32	Inquiry <b>Dismissed: Other</b>	RP reported an officer who was rude to RP's friend during a stop regarding someone with a gun. RP was not involved but felt the officer violated their friend's rights.	<b>Dismissed: Other</b> Review of body cam by Auditor found no policy violations.
2/25/2020	3/6/2020	11	Service Complaint/ Courtesy	RP alleged that an officer yelled at him to shut up during a booking.	Sgt. reviewed body cam of the incident and found that toward the end of the process the officer did tell RP to shut up. Sgt. spoke with the officer about the issue and contacted RP with his findings.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
2/25/2020	3/23/2020	28	Service Complaint/ Performance	RP was concern about the speed officers use on his street and noted his cat was possible killed by patrol officers speeding through his neighborhood.	Sgt. was able to identify a police chase from Springfield PD that was in RP's neighborhood at the time RP reported. Sgt. shared this information with RP.
2/24/2020	6/16/2021	478	Service Complaint/ Performance	RP complained about a lack of follow-through from an EPD employee.	Supervisor addressed concerns with employee.
2/25/2020	6/2/2020	97	Inquiry	RP inquired into a situation in which her child was stopped at a park and searched for a weapon.	Sgt. learned that an armed suspect call had come in and officers were dispatched. RP did not return calls to discuss the situation with the supervisor.
2/25/2020	3/31/2020	36	Service Complaint/ Performance	RP was concerned when an officer told her that they would not look into a hit and run driver who lived out of the city due to law staffing and because it had been 4 days.	Sgt. found that part of the delay in the report was RP did not call back to dispatch to provide a time to be reached. The officer was directed to follow up in the plate number. RP did not return calls left by the Sgt.
2/29/2020	3/23/2020	23	Service Complaint/ Service Level	RP was concerned that a noise complaint she has continuously reported has not been dealt with.	Sgt. found that by the time officers have arrived the noise has stopped, so no police action has taken place. On one instance UOPD addressed the issue. Sgt. spoke with RP about what had been done and provided a number for her to call in case there are other issues.
3/2/2020	3/30/2020	28	Inquiry	RP was unhappy with an officer's demeanor while issuing a citation at the airport.	Review of body cam showed that the officer was professional with RP and only raised his voice to control the situation as warranted. RP was given various chances to move and not be cited by the officer. Sgt. spoke with RP about the findings.
3/3/2020	3/19/2020	16	Service Complaint/ Performance	RP reported an officer who drove through a do not enter sign in his neighborhood.	Sgt. reviewed the incident and found that officers turned into the area attempting to locate a suspect on a bike. State statute allows officers to disregard traffic controlling signs while in pursuit of their duties. Sgt. spoke with RP.
3/7/2020	3/10/2020	3	Incident Review: Performance <b>Dismissed: Other</b>	Anonymous complaint that an officer assaulted RP smelling of booze.	<b>Dismissed: Other</b> RP did not provide sufficient information for the allegation to be looked into.
3/9/2020	4/13/2020	34	Service Complaint/ Service Level	RP was upset at the service he received when calling in a trespasser who had lit a fire outside his business. Fire was dispatched but not officers.	Supervisor reviewed the call and found that fire responded and cleared after the fire was extinguished; no indication was given that RP was expecting further contact. Supervisor spoke with RP.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
3/11/2020	3/19/2020	8	Inquiry	RP was upset with an officer who was coming to her daughter's door late at night.	Sgt. learned that the officer was addressing a legitimate police issue with RP's daughter and was on his regular shift hours. No policy violation was found. Sgt. spoke with RP with his findings.
3/12/2020	3/19/2020	7	Service Complaint/ Courtesy	RP felt an officer who came to his door for a noise complaint tried to escalate the incident.	Sgt. found that the officer followed all policies during the call and was polite with RP. When RP became upset after the call had been completed the officer provided his name and called the supervisor when requested by RP. The officer was professional throughout. Sgt. spoke with RP about the findings
3/12/2020	3/17/2020	5	Service Complaint/ Service Level	RP did not feel call takers took her complaint of a naked man on her front porch seriously.	Review of calls by Supervisor found that the calls were handled within policy and professionally, but 20 more urgent calls were holding on the screen. Supervisor spoke with RP and reassured that the call was handled in a proper manner.
3/13/2020	3/19/2020	6	Inquiry <b>Dismissed: Other</b>	RP felt his rights were violated when he refused medical assistance for a gunshot wound.	<b>Dismissed: Other</b> Review of incident by Auditor found the incident fell under community care taking statutes.
3/16/2020	3/19/2020	3	Inquiry <b>Dismissed: Other</b>	RP was upset that when he was arrested an officer seized his phone without a warrant.	<b>Dismissed: Other</b> Review of body cam by Auditor found no policy violation. Gun was seized as evidence in a shooting pending a warrant.
3/16/2020	3/24/2020	8	Service Complaint/ Performance	RP reported she was threatened with going to jail 3 times when she called about her ex trying to take her child.	Review of body cams and speaking with officers found that no one threatened RP about going to jail. Because of no court custody papers the issue was deemed civil and this was explained to RP and the father. Sgt. spoke with RP about the issue.
3/18/2020	3/23/2020	5	Service Complaint/ Performance	RP reported an officer who took off after a light had turned green and almost hit a pedestrian.	Sgt. spoke with the officers who advised that he started his turn at the intersection and stopped within 6 feet of the pedestrian. Officer was advised to be aware of his surroundings at all times. RP was contacted with the findings.
3/19/2020	4/9/2020	20	Service Complaint/ Disputed Facts	RP felt that a traffic stop at 2:30am was bogus and the officer should not have stopped him.	Review of body cam showed that officer conducted a within policy stop of a vehicle whose plate was not readable. No policy violation, Supervisor spoke with RP.

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3/20/2020	4/1/2020	11	Incident Review: Discrimination	RP's client feels he was racially profiled by and EPD officer. Detained for over 30 minutes with out explanation and then given 3 citations.	Sgt. learned that RP's client appeared similar in appearance to a suspect they were seeking. After identification had been confirmed, the situation was explained to RP's client, and the client was released with traffic citations.
3/20/2020	4/2/2020	12	Inquiry	RP reported an officer using a cell phone on I5 when he was clearly driving home and not on a call.	Lt. found that the officer (a supervisor) was answering work related calls and that their City car is not equipped with Bluetooth. Lt. arranged to have the officer get a Bluetooth speaker and spoke with RP.
3/23/2020	3/25/2020	2	Service Complaint/ Performance	RP reported an officer who failed to signal a turn while using a cell phone.	Information provided was not enough to identify vehicle or officer involved.
3/23/2020	3/30/2020	7	Service Complaint/ Performance	RP was confused at why an officer would ask him what he would like to happen during his call about harassment.	Sgt. spoke with RP about the call for service and learned that RP did not have follow up from the officer after he spoke with the other party, leading to his confusion. Sgt. was able to answer his questions.
3/24/2020	3/27/2020	3	Inquiry <b>Dismissed: Other</b>	RP is upset that his daughter was pulled over late and night, did not identify himself and then sent her on her way without telling her why she was stopped.	<b>Dismissed: Other</b> Review of body cam by Auditor found officer explained the reason for the stop, gave the driver a warning, and ended the stop.
3/25/2020	4/23/2020	28	Service Complaint/ Performance	RP was concerned about the slow follow up to a theft case he reported.	Sgt. reviewed records of the case and found that RP had not followed up with the officer by sending him evidence and the case was suspended. Sgt. spoke with RP and explained next steps once the information was received.
3/21/2020	3/27/2020	6	Service Complaint/ Performance	RP was unhappy with how a restraining order violation was handled.	Review of body cams found that the officer completed a thorough investigation and determined no crime had been committed. The concern was handled professionally and violated no department policies.
3/27/2020	4/6/2020	9	Inquiry	RP was concerned about how a welfare check his girlfriend called in was handled.	Lt. reviewed the body cams of the incident and found that the officers followed policy. Lt. spoke with RP about his concerns.
3/27/2020	4/27/2020	30	Service Complaint/ Performance	RP reported an officer who ran a red light.	Sgt. was able to identify the officer who did not recall running a light. Officer was reminded to obey traffic rules. RP did not leave contact info.



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3/31/2020		N/A	Incident Review/ Use of Force	Auditor-initiated review of force used during an incident, including the use of a Taser.	The matter was initially re-classified to be handled by a Force Review Board; when those Boards were delayed due to workload, the incident review was re-opened and remains open (June 2021).
4/4/2020	4/6/2020	2	Service Complaint/ Performance	RP was upset that a call taker asked so many questions when he reported a trespasser acting aggressive and then hung up on him.	Supervisor reviewed the call and found that the call taker asked the appropriate questions to triage the call. RP talked over the call taker and once it was determined that the trespasser was no longer in the area the call taker told RP to call back if needed and announced the call would be disconnected. Supervisor found no issues with how the call was handled. Supervisor spoke with RP.
4/4/2020	4/6/2020	2	Inquiry <b>Dismissed: Alternate Remedy</b>	RP was concerned about the force used when he was arrested after a dispute.	<b>Dismissed: Alternate Remedy</b>
4/6/2020	5/15/2020	39	Inquiry	RP requested to speak with an EPD supervisor about various reports made and how they were progressing.	Supervisor had RP's cases reviewed and spoke with RP to answer questions.
4/6/2020	5/7/2020	31	Service Complaint/ Performance	RP was concerned that his report of a stolen sign was not followed up on.	Supervisor reviewed the call and found that the call taker handled the call within policy. RP did not see the theft take place, declined to be a complainant and did not have enough information to go forward. The information was given to the beat officer as per policy. Supervisor spoke with RP about the findings.
4/7/2020	5/15/2020	38	Inquiry	RP inquired into details of her daughter's death investigation.	Supervisor reviewed the case and contacted RP to answer questions.
4/7/2020	4/13/2020	6	Service Complaint/ Performance	RP was concerned about resources used doing a parade for a 6 years old birthday during this time of emergency. RP also noted a group of kids playing ball that was not broken up by officers.	Lt. spoke with RP about how EPD uses such events to build trust and good will with the community. They also spoke with EPD using education to remind people about social distancing.
4/8/2020	4/9/2020	1	Inquiry <b>Dismissed: Other</b>	RP reported an incident in which officers came to his home surprising his dog, and then hit and pepper sprayed him.	<b>Dismissed: Other</b> Auditor reviewed body camera and found no policy violations.
4/10/2020	5/11/2020	31	Inquiry	RP is having difficulty getting a return call from the officer investigating his daughter's case.	Sgt. reviewed the investigation and found it to be thorough. Sgt. spoke with RP who indicated he would be submitting more evidence for the investigation.

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4/14/2020	4/27/2020	13	Inquiry	RP was upset that when her son was arrested he was thrown to the ground when he started to walk away. He was also jailed under another name.	Review of body cam by the Lt. and the Auditor found no use of force issues. RP's son failed to give his correct name to officers and denied that the name on cards in his possession was his. RP's son later told jail employees his correct name, and it was corrected in the record. Lt. spoke with RP about the incident and the findings.
4/15/2020	5/11/2020	26	Service Complaint/ Performance	RP was concerned that when he reported a homeless man who had lit a fire on his business' front door, the officer who responded allowed the man to stay there even though he has a trespass order.	Sgt. reviewed incident and found that the officer failed to take appropriate action to adequately resolve the call for service. Sgt. spoke with RP about his findings and with the officer involved.
4/15/2020	4/27/2020	12	Inquiry	RP inquired into the chain of events and how police actions were determined during a stand off situation.	Lt. spoke with RP to answer questions about the incident.
4/14/2020	4/16/2020	2	Inquiry	RP offered suggestions about a stand off near her home.	Information was forwarded to the chain of command.
4/17/2020	4/27/2020	10	Service Complaint/ Performance	RP was upset that officers argued loudly with a couple of suspects under his apartment window for over two hours and then just let them go.	Sgt. reviewed records and body cams of the incident and found that the officer followed policy with the stop. The stop lasted less than an hour and no arguing or raised voices were noted in the video. Sgt. spoke with RP about the findings.
4/17/2020	4/27/2020	10	Service Complaint/ Performance	RP was upset that an officer had not followed up on retrieving doorbell video of an attempted break in at her neighbors.	Sgt. found that the officer had followed up the next day and that an arrest had been made. The officer also re-contacted RP with the outcome of the case. No policy violations. Sgt. spoke with RP about the concerns.
4/20/2020	4/22/2020	2	Inquiry <b>Dismissed: Other</b>	RP alleged racial profiling when he was wrongfully arrested for theft.	<b>Dismissed: Other</b> Review by Auditor found arrest was due to probable cause for the theft. No Policy violations.
4/21/2020	5/20/2020	29	Service Complaint/ Courtesy	RP felt an officer was disrespectful, scoffing and talking down to her when she was making a report.	Sgt. found that the officers actually spent extra time trying to help RP with a situation that was not criminal in nature. Body cam showed no disrespect toward RP.
4/22/2020	5/1/2020	9	Inquiry	RP inquired into why EPD officers did not assisted him in recovering his children from a non custodial parent. RP is from out of state and felt interstate agreements applied.	Sgt. spoke with RP about his concern. RP had done further research and found that he needed further paperwork from a judge to proceed. RP understood officers had followed law and policy.

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4/22/2020	5/26/2020	34	Service Complaint/ Performance	RP was unhappy with how a issue involving RP's daughter and a friend was handled.	Sgt. found that the issue was a disagreement between families with no criminal behavior involved. The officer had gotten the School Resource Officer to mediate the outcome. No policy violations found.
4/23/2020	5/18/2020	25	Inquiry	Inquiry into if an officer may have reported to training with an odor coming from his person.	Investigation by Supervisor found no violation of policy.
4/23/2020	4/27/2020	4	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP filed a complaint pertaining to an employee of another agency.	<b>Dismissed: Outside Jurisdiction</b>
4/27/2020	5/6/2020	9	Service Complaint/ Performance	RP reported an officer who got out of his car and lectured him on improper use of his horn when he honked his horn when the officer did not proceed when the light changed.	Supervisor reviewed the complaint and found that the officer was technically correct in his conversation with RP but felt the officer should have just driven on. Supervisor spoke with RP about his findings and discussed the incident with the officer.
4/29/2020	5/18/2020	19	Service Complaint/ Service Level	RP was unhappy that an officer had not called him back about his report of stolen recycle cans.	Lt. found that the officer had missed a text message from RP, and that probable cause did not exist for a citation or arrest.
5/4/2020	5/14/2020	10	Inquiry	RP was upset that he found a couple of police officers in his backyard and assumed they were there because he posts pictures of incidents with EPD	Sgt. found that officers had observed suspicious behavior by an unknow person. RP's yard is a panhandle lot with another home inside, the gate was open and trespassing signs were not posted. No policies were violated.
5/4/2020	6/15/2020	41	Service Complaint/ Performance	RP was upset that when an officer was dispatched to a call for a trespasser he just drove by, the incident was happening in an area that was not visible from the street.	Sgt. found that the officer had not been dispatched but went to the call via the call log while he had a free minute. It was 2 hours after the initial call, and the officer drove by and did not notice an issue. Sgt. spoke with RP and agreed that at least contact should have been made and noted to RP that his team would be reminded about good customer service.

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5/5/2020	6/16/2020	41	Inquiry	RP reported an officer who questioned one of her members about being in a community garden and used a child to translate.	Lt. reviewed body cam of the incident and found that the officer was making a patrol check and thought the member was staff. The member initiated using the child to speak with the officer. When the officer found out the member was just gardening and not staff the officer took leave of the area. Lt. is working with RP to view the body cam of the situation.
5/6/2020	5/14/2020	8	Service Complaint/ Service Level <b>Dismissed: Outside Jurisdiction</b>	RP reported prohibited camping in the park.	<b>Dismissed: Outside Jurisdiction</b> RP was directed to proper agency to lodge complaint.
5/7/2020	6/9/2020	32	Service Complaint/ Performance	RP was unhappy with how officer handled a civil stand by at her home.	Sgt. found that officers had responded to a verbal dispute and learned that the issue was civil between RP and a former renter. When officers were called back to the scene they waited until all items of the renter had been removed from the property to keep the peace. No policy violations were found in the body cams. Sgt. spoke with RP.
5/11/2020	6/23/2020	42	Service Complaint/ Performance	RP is concerned about a homeless camp near his home that is having safety issues, having recently caught on fire. EPD doesn't seem to want to help.	Sgt. found that due to the COVID-19 officers were operating under the impression that camping issues were not being enforced. The issues have been clarified with Patrol. RP did not return calls to speak with the Sgt.
5/12/2020	5/29/2020	17	Service Complaint/ Performance	RP feels that EPD is not helping him with harassment issues with his neighbor.	Sgt. reviewed records and body cams and found that RP had not articulated any behavior that required law enforcement action. Sgt. spoke with RP about his findings.
5/11/2020	6/17/2020	36	Policy	RP was concerned that an officer her gave her a citation was not wearing a mask.	Sgt. spoke with RP about EPD's policy. Due to the fact that communication is a significant part of police interactions and face masks can hamper communications officers were not required to wear masks at the time.
5/15/2020	6/17/2020	32	Policy	RP is concerned about the homeless camps along the river, and the trash and body fluids going into the river.	Sgt. contacted RP and explained the city's protocols for homeless camps during COVID19.
5/18/2020	5/26/2020	8	Service Complaint/ Service Level	RP is concerned about the camping in a city park that backs to her home.	Sgt. provided information for RP to contact Park Watch to look into her concerns.

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5/18/2020	6/19/2020	31	Service Complaint/ Performance	RP is concern that a mentally ill man at her apartment complex is being given a pass by EPD each time even though his activities are illegal.	Sgt. reviewed EPD visits to the complex and identified the actions taken by officers for each. Sgt. reached out to RP with the information. RP was happy to know that action had been take in the various incidents.
5/18/2020	5/26/2020	8	Service Complaint/ Performance	RP was unhappy with a citation he was given and with the officer not wearing a mask or gloves.	Lt. explained that the citation would need to be mediated through the court and EPD's policy in regard to face masks.
5/20/2020	6/23/2020	33	Policy	RP's employees have indicated that EPD is not allowing them to prosecute trespass issues on the property he manages.	Confusion due to COVID-19 and how illegal camping was being enforce caused the issue. Clarification was provided to officers and RP was informed that trespassing is being enforced.
5/20/2020	6/23/2020	33	Policy	RP was concerned that officers did not wear masks and gloves during an home welfare check.	Sgt. spoke with RP about EPD's mask policy at that time, which did not require masks.
5/20/2020	5/26/2020	6	Policy	RP is concerned about the illegal camping in the city. And that no one seems to be enforcing the laws.	Sgt contacted RP and explained the current protocol for the COVID19 pandemic regarding illegal camping.
5/18/2020	5/22/2020	4	Inquiry <b>Dismissed: Other</b>	RP alleged that officers were not taking her concern about a custody issue seriously.	Dismissed: Other
5/22/2020	7/1/2020	39	Service Complaint/ Use of Force	RP alleged that excessive force was used against him on the bike path after an unidentified voice from the shadows tried to detain him. RP claims it wasn't until the third hail that they identified themselves as police.	Sgt. reviewed body cams that showed RP matched the description of a suspect officers were searching for. They identified themselves as police on the second hail. RP then resisted being taken into custody and officers pushed him to the ground from kneeling position. No other force was used. Sgt. spoke with RP about the incident.
5/27/2020	6/29/2020	32	Service Complaint/ Performance	RP was upset that when he called for help with his mentally ill daughter, officers refused to transport her to the Behavioral Health Unit. RP's daughter later jumped out of her mother's moving vehicle.	Sgt. reviewed body cam of the interaction with RP and the officer and found that the officer explained to RP the parameters that need to be in place before police could take someone into custody on a mental hold. At the time of the contact, RP's adult daughter was not a threat to herself or others. The officer then offered other avenues to the family to seek help. Sgt. spoke with RP about the situation.
5/28/2020	6/23/2020	25	Policy	RP is concerned that EPD officers are not wearing masks.	Sgt. spoke with RP with information about EPD's mask policy at the time, which did not require masks.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
5/28/2020	6/15/2020	17	Policy	RP is concerned about the prohibited camping that is occurring around town.	Sgt. contacted RP and explained the city's current protocol during COVID19 and the homeless camps.
5/28/2020	6/17/2020	19	Service Complaint/ Performance	RP was upset that the suspects in a domestic violence call were told who had called in.	Supervisor listened to the call and found that RP had not specified to be anonymous. RP was notified and given instructions on how to remain anonymous in the future.
5/28/2020	6/15/2020	17	Service Complaint/ Performance	RP was seeking information about her daughter's death investigation.	Sgt. found out that RP had since spoken to the officer in charge and had had her questions answered.
5/22/2020	7/2/2020	40	Service Complaint/ Performance	RP was concerned that an officer who worked with his agency failed to share information	Sgt. spoke with RP about his concerns and noted that he would speak with the officer about RP's concern.
5/30/2020	6/18/2020	18	Inquiry	Inquiry received by supervisor and entered into BlueTeam related to EPD response to community protests.	Administratively Closed - merged into Incident Review examining EPD response to community protests.
5/30/2020	11/24/2020	174	Incident Review: Performance	RP's were concerned that it took EPD so long to step in and deal with the riot on 5/29/20.	Sgt. reviewed body cam, and reports of the incident and found that during the incident EPD did not have adequate man power for the size and behavior of the crowd. As the situation progressed additional resources were called in from outside agencies. Investigation was reviewed by CRB as part of the Community Impact Case.
5/21/2020	11/21/2020	180	Incident Review: Conduct	Numerous citizens complained that EPD officers used excessive force while attempting to disperse a crowd during a civil unrest incident.	Review of the incident found that EPD officers did use gas/smoke canisters, sponge rounds and pepper balls during the incident only after the crowd failed to disperse as ordered. The large crowd at various times looted businesses, set fire to dumpsters in the middle of intersections, and threw rocks at officers. Investigation was reviewed by CRB as part of the Community Impact Case.
6/1/2020	7/1/2020	30	Service Complaint/ Performance	RP has made reports about a neighbor two times and the police reports do not reflect what was reported.	Sgt. found that after officers investigated the incidents they found that not all the facts aligned with what RP reported. The officers followed policy and procedures in the investigation and the reports. Sgt. spoke with RP about each incident.

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6/1/2020	11/25/2020	174	Incident Review: Use of Force	Various citizen complaints about tear gas being used on 5/31/20	Specific incidents found during the review were brought forward for investigation and combined in the Community Impact Case and reviewed by the CRB in December 2020.
6/1/2020	6/18/2020	17	Inquiry	Inquiry merged into Incident Review examining EPD response to demonstrations on 5/31/20.	Administratively Closed
6/1/2020	7/6/2020	35	Policy	RP was concerned that due to the curfew some of her employees were late to work.	Sgt. spoke with RP about the incident and found that it had not been repeated. RP provided a contact number for RP to call if the issue reoccurred.
6/1/2020	7/16/2020	45	Service Complaint/ Performance	RP felt she was getting the run around from EPD about not being contacted when her stolen car was recovered by another agency.	Supervisor found that a record clerk failed to properly attach a teletype to the police record causing the issue. Supervisor was unable to speak with RP due to RP's contact number being disconnected.
6/1/2020	6/3/2020	2	Performance <b>Dismissed: Outside Jurisdiction</b>	RP was concerned about how a welfare check on her child was handled.	<b>Dismissed: Outside Jurisdiction</b>
6/1/2020	6/18/2020	17	Inquiry	Inquiry merged into Incident Review examining EPD response to demonstrations on 5/30/20.	Administratively Closed
6/1/2020	6/3/2020	2	Inquiry <b>Dismissed: Alternate Remedy</b>	RP is upset that a person only trying to protect themselves by firing a weapon was charged.	<b>Dismissed: Alternate Remedy</b>
6/1/2020	6/16/2020	15	Inquiry	RP inquired into speaking with a supervisor about an attempt to locate on his son.	Lt. spoke with RP providing RP with the information he needed and advised it would be advantageous for his son to surrender to officers.
6/1/2020	6/3/2020	2	Inquiry <b>Dismissed: Other</b>	RP left a message about cops and evil monsters.	Dismissed: Other
6/3/2020	7/14/2020	41	Service Complaint/ Performance	RP alleged that a report filed by an officer is inaccurate and that the officer told him what the facts were and did not listen.	Sgt. reviewed the reports and body cams and noted that the officer's investigation was thorough and RP and the other party were both cited. Sgt. spoke with RP about the concerns.
6/2/2020	7/21/2020	49	Policy	RP was upset that his phone went off every 1/2 hour due to curfew notifications.	Supervisor spoke with RP about his concerns and as requested took RP's name out of the Alert system.



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6/2/2020	6/17/2020	15	Service Complaint/ Conduct	RP was concerned that an officer used social media to reach out about a proposed protest.	Cpt. determined that there is no EPD policy that precludes using personal social media accounts to reach out to citizens on EPD related business, but recommends one be created. Cpt. spoke with employee and noted that the preference is to not use personal social media. Cpt. emailed RP about the findings.
6/3/2020	7/16/2020	43	Service Complaint/ Performance	RP was upset with the way an officer who questioned him about a handgun incident at a protest seemed to put words in his mouth.	Review of body cam's found the officer conducted a professional and thorough investigation, asking clarifying questions as needed. No policy violations were noted. RP did not return calls.
6/3/2020	7/7/2020	34	Service Complaint/ Performance	When RP reported a couple of stolen trailers he feels he was denied service due to COVID.	Sgt. found that due to a business being closed due to COVID an possible security video could not be retrieved. RP did not return calls to speak to the Sgt. about the incident.
6/3/2020	7/6/2020	33	Policy	RP was upset that protesters were riding in the back of a truck, violating the seatbelt law and no citations were given.	Sgt. spoke with RP about his concern and explained that an officer must witness the violation before enforcement action can be taken.
6/3/2020	7/9/2020	36	Inquiry	RP feels her son's reports about being assaulted are being ignored.	Sgt. found that RP had spoken several times with officers but had never tried to report the assault. The Sgt. had RP work with an officer to get the report filed.
6/2/2020	7/17/2020	45	Policy	RP was upset that some of their employees were stopped and questioned about their actions during the protests.	Sgt. spoke with RP about the concerns and learned that the issue had not continued past the first few days of protests. RP was grateful EPD had reached out.
6/4/2020	6/15/2020	11	Service Complaint/ Courtesy	RP was insulted that an officer mentioned using his insurance to cover the expenses of a DUII driver hitting his parked vehicle.	Sgt. learned the RP was upset at the incident and refused to press charges against the driver. Body cam showed that the officer was courteous and professional. No policy violations.
6/5/2020	6/9/2020	4	Inquiry <b>Dismissed: Alternate Remedy</b>	RP was upset about a traffic citation.	<b>Dismissed: Alternate Remedy</b>
6/4/2020	6/9/2020	5	Inquiry <b>Dismissed: Timeliness</b>	RP filed a complaint from an incident in 2014 in which he was assaulted.	<b>Dismissed: Timeliness</b>
6/5/2020	6/25/2020	20	Service Complaint/ Performance	RP is concerned that a rape report was not being handled properly.	Sgt. spoke with RP and found that since the RP had contacted the Auditor the case had been handed over to a detective and RP no longer had an issue with the case.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
6/6/2020	6/9/2020	3	Inquiry	Complaint entered was a duplicate.	Administratively closed and merged with prior complaint on same matter.
6/8/2020	7/14/2020	36	Service Complaint/ Performance	RP was upset that a man that hit her car in front of her home was not cited for DUII.	Sgt. spoke with RP and learned that the officer in charge had already re-contacted RP, who was happy with the outcome.
6/8/2020	6/22/2020	14	Inquiry	RP inquired into whether or not the tear gas EPD used has an expiration date.	Sgt. spoke with RP about the expiration of the canisters which applies to the container itself and not the gas.
6/8/2020	6/22/2020	14	Inquiry	RP claimed he was punched in the back by on officer while sitting peacefully at a bus stop.	Lt. found that the officer made contact with RP due to a dispatched complaint. RP then tried to dash off across a busy street and the officer reached out to grab RP. No force was used against RP. Lt. spoke with RP about the incident.
6/9/2020	6/12/2020	3	Inquiry	RP was upset that an undercover cop tried to pull him into a sting, by trying to get him to smoke pot in public.	No EPD operation undercover or otherwise was happening at the time and place RP gave in his complaint. <b>Dismissed: Employee not identified.</b>
6/10/2020	7/17/2020	37	Inquiry	RP reported an officer who was rude and intimidating.	Sgt. found that officers had spoken with RP about a dog off leash who had then became argumentative with the officers. RP did not provide a name or contact information for a return call.
6/10/2020	6/12/2020	2	Inquiry <b>Dismissed: Other</b>	RP submitted a complaint listing events from 2004-2019	<b>Dismissed: Other</b>
6/11/2020	7/6/2020	25	Policy	RP was concerned that her business was not notified when a suicidal man was on the parking structure.	Lt. found that the incident had taken place on the opposite side of the structure and that the area had been contained by EPD. The other areas of the building were safe for normal activities. Lt. spoke with RP and explained the circumstances and the steps EPD had taken.
6/12/2020	6/16/2020	4	Inquiry <b>Dismissed: Timeliness</b>	RP was upset about a crime from 2016 had not been investigated to RP's satisfaction.	<b>Dismissed: Timeliness</b>
6/12/2020	6/22/2020	10	Service Complaint/ Conduct	RP thought it was weird that an officer wandered into her dance studio and looked around.	Lt. found that during a lunch break the officer had noticed the studio and had stopped in to inquire about lessons. LT. spoke with RP about the findings.
6/15/2020	6/16/2020	1	Inquiry <b>Dismissed: Timeliness</b>	RP reported an incident from 2016 in which he was concerned how it was handled.	<b>Dismissed: Timeliness</b>

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6/15/2020	7/6/2020	21	Inquiry	RP reported hearing an officer tell someone stopped by police to get out of the car or we'll shoot.	Sgt. explained to RP that instructions were given to the suspect to keep bystanders and officers safe, but no officer threatened to shoot the suspect like RP thought she had heard.
6/15/2020	6/17/2020	2	Inquiry	An anonymous person wanted to remind Cahoots that incidents with citizens need to be kept confidential.	Cahoots supervisors were forwarded the intake information to handle as they deemed appropriate.
6/16/2020	7/6/2020	20	Policy	RP is concerned that the homeless campers in the park are now moving out to her neighborhood.	Lt. spoke with RP about the policy the city had allowed during COVID-19. Some of RP's concerns could be addressed by Code Enforcement and Parks and Open Space and the Lt. agreed to forward those concerns.
6/16/2020	6/22/2020	6	Policy	RP is concerned about all the camping in the Washington/Jefferson park. Property damage is beginning to happen and safety in the neighborhood is compromised.	Lt. spoke with RP about the camping being allowed in the park during the COVID-19. Lt. also notified Parks about RP's complaint.
6/17/2020	6/10/2021	353	Incident Review	Catch-all for complaints received about Chief-level decisions during EPD's response to the protests at the end of May.	Forwarded to the City Manager per City ordinance and closed (not under the jurisdiction of IA and the Auditor).
6/14/2020	6/19/2020	5	Inquiry <b>Dismissed: Other</b>	RP emailed a reference to exposing several undercovers in the crowd at a protest.	<b>Dismissed: Other</b> Auditor's preliminary investigation found no contact between RP and EPD during the time frame of protests.
6/14/2020	6/19/2020	5	Inquiry <b>Dismissed: Other</b>	RP emailed with a narrative about issue in her family and various issues in small cities in Oregon.	<b>Dismissed: Other</b> Auditor's preliminary investigation found no contact between RP and EPD during the time frame RP provided.
6/17/2020	6/26/2020	9	Incident Review: Performance	RP alleged that an officer failed to investigate a harassment and bias crime.	Review of the incident found that the suspect was cited for harassment and the investigation had not uncovered reasonable suspicion that bias crime had occurred.
6/17/2020	6/23/2020	6	Policy	RP is concerned that about an illegal homeless camp that is growing on the other side of his fence where he small children play.	Lt. let RP know that since the Phase 2 designation for COVID-19 EPD would be able to get the area on the list for clean up.
6/18/2020	6/19/2020	1	Inquiry <b>Dismissed: Other</b>	RP reported seeing a video of police kicking a man.	<b>Dismissed: Other</b> Auditor's Office was unable to identify any such incident in Eugene.
6/18/2020	7/21/2020	33	Policy	RP is upset with the prohibited camping in her neighborhood and feels tax payers are getting the shaft.	Lt. spoke with RP and noted that the group RP had complained about had relocated. RP was thankful for the help, but was still upset about the politics of the issue.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
6/18/2020	6/26/2020	8	Incident Review: Performance	During a review of body cams of protest/riot activity a possible incident of an employee using a racial slur was identified.	Investigation of the incident and witness statement found that the offending language was used while quoting what a group of protesters were chanting and was a condemnation of the language.
6/19/2020	6/24/2020	5	Inquiry <b>Dismissed: Other</b>	RP listed various public figures that were doing illegal activity and complained that law enforcement was doing nothing.	<b>Dismissed: Other</b> Auditor's preliminary review found RP has had no recent contact with EPD.
6/20/2020	7/6/2020	16	Policy	RP was concerned that two officers were not wearing masks in a restaurant.	Sgt. left an mail for RP about EPD's the current policy on facemasks.
6/21/2020	7/23/2020	32	Service Complaint/ Performance	RP was concerned that officers were not dispatched to look for her ex who had a warrant and had come to her door.	Supervisor reviewed the call and found that during the call the ex had left and RP stated she did not need officer contact. It was also noted that the call taker should have a least run a name check and notified dispatch if there was a warrant. RP did not respond to messages to talk about the findings.
6/19/2020	6/23/2020	4	Service Complaint/ Service Level <b>Dismissed: Other</b>	RP was upset that painting the street was happening in front of the Federal Courthouse.	<b>Dismissed: Other</b> Auditor review found that the city permitted the painting.
6/22/2020	6/23/2020	1	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP was upset that government Vehicles park on the sidewalk outside the County Building.	<b>Dismissed: Outside Jurisdiction</b>
6/22/2020	7/13/2020	21	Inquiry	RP felt a man being arrested should have been Mirandized.	Sgt. found that the man was being arrested on warrants and not a new crime, the man was not being questioned so did not require a <i>Miranda</i> statement.
6/23/2020	6/26/2020	3	Service Complaint/ Performance <b>Dismissed: Timeliness</b>	RP is concerned about how an assault in 2018 was handled.	<b>Dismissed: Timeliness</b>
6/24/2020	7/10/2020	16	Service Complaint/ Performance	RP reported getting different answers from different call takers about campers in a fire lane.	Supervisor found that each call RP asked slightly different questions leading to the different answers. Supervisor spoke with RP to provide the answers needed.
6/25/2020	7/1/2020	6	Service Complaint/ Service Level	RP inquired into whether or not an EPD officer could tell when an inmate is released from jail.	Sgt. spoke with RP to explain that the Sheriff's Department is the agency in charge of the jail and would know release times for inmates, not EPD officers.

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6/29/2020	7/14/2020	15	Inquiry <b>Dismissed: Other</b>	RP was concerned that a call about a theft went unanswered by EPD.	<b>Dismissed: Other</b> RP did not provide enough information to identify the incident and did not respond for further information.
6/29/2020	7/8/2020	9	Policy	RP was concerned about the destruction of property during the riots.	Merged with the complaint that was forwarded to City Manager.
6/29/2020	7/7/2020	8	Policy	RP inquired into why protesters were trespassed from a parking lot which is private property, RP was told the owners had not complained.	Sgt. learned that the business in question had a previously filed a trespass letter with EPD. RP was glad to hear that the trespass was not done arbitrarily.
7/8/2020	8/9/2020	31	Incident Review	Numerous community members complained that EPD did not properly investigate a person allegedly hitting a protestor with his car.	Incident Review found that the investigation was exceptionally thorough. Probable cause did not exist to arrest the driver at the time of the incident, and a grand jury later declined to charge him. Following the grand jury's decision, EPD did issue non-criminal citations in the matter.
6/29/2020	6/30/2020	1	Inquiry <b>Dismissed: Other</b>	RP inquired into a person stop of Black juveniles he had witnessed to be sure they were not being harassed.	<b>Dismissed: Other</b> Auditor reviewed body cams from the stop found it to be a legitimate police dispatch call, handled with professionalism by the officers.
6/30/2020	7/6/2020	6	Service Complaint/ Performance	RP was upset at not being notified when his stolen vehicle was recovered, leading to towing fees.	Sgt. reviewed the records of the recovery and found that the officer had left a voicemail for RP and also had dispatch try and reach RP. Sgt. spoke with RP about his findings.
6/30/2020	7/6/2020	6	Service Complaint/ Performance	RP had been unable to get a return call from an officer about hit and run driver who had hit his car.	Sgt. learned that the officer had texted the information to RP, but had used an incorrect number. The Sgt. had the officer contact RP with the information and then called himself about the issue.
6/26/2020	7/14/2020	18	Service Level <b>Dismissed: Other</b>	RP feels that every time she calls EPD they don't show up. RP requested a review of last years contacts with EPD.	<b>Dismissed: Other</b> Auditor review of police contacts with RP found no policy violations.
7/2/2020	7/8/2020	6	Service Complaint/ Performance	RP was upset that EPD didn't take him seriously that a roommate had controlled substances in someone else's name. RP was also upset that the roommate had brought a murder suspect into the house.	Lt. explained to RP that the roommate would have a reasonable expectation of privacy for the contents of a purse inside the residence. A search by EPD would be unreasonable and inadmissible in court.
7/1/2020	7/8/2020	7	Inquiry	RP inquired in to whether or nor EPD owns a LRAD and if had had been used during police response to protests.	Lt. advised RP that EPD does have a LRAD which is used to communicate at loud crowd environments. The supervisor explained EPD's safety measures when using the device.

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7/2/2020	8/13/2020	41	Inquiry	RP was concerned about EPD clearing the campers from the parks, which RP feels is a violation of CDC rules during the pandemic.	Lt. spoke with RP who was concerned about the Parks Department making the decision, Lt. facilitated getting RP the information to contact Parks.
7/6/2020	8/10/2020	34	Policy	RP emailed a request that all officers would model face mask wearing and social distancing.	Sgt. emailed with RP about the concern.
7/9/2020	7/29/2020	20	Incident Review	RP believed she was not treated fairly when a white male hit her parked vehicle.	The investigation showed that the matter had been more thoroughly investigated than RP believed, and the involved employee did not violate any policy.
7/7/2020	7/10/2020	3	Inquiry <b>Dismissed: Other</b>	RP was concerned that officers were following him, even though dispatch told him no officers had been sent to his home.	<b>Dismissed: Other</b> Auditor review found that no EPD employee was in the area of RP's home.
7/7/2020	7/9/2020	2	Service Complaint/ Performance <b>Dismissed: Timeliness</b>	RP was concerned about an incident form 2016.	<b>Dismissed: Timeliness</b>
7/9/2020	7/14/2020	5	Inquiry <b>Dismissed: Other</b>	RP was concerned that one of his employees was pulled over for violating curfew, RP did not believe there had been a curfew at the time.	<b>Dismissed: Other</b> Auditor review of body cam found no policy violation in the stop.
7/10/2020	8/6/2020	26	Inquiry	RP expressed concern that a client was having trouble with a neighbor and EPD had advised nothing could be done.	Sgt. reviewed calls and found that at this time no criminal behavior had been occurring and officer had not had probable cause to arrest or cite anyone. RP's client had been advised about protective orders and to document issues.
7/10/2020	8/3/2020	23	Service Complaint/ Performance	RP was concerned officers did not wear masks during a traffic stop.	Lt. spoke with RP about EPD's mask policy and then with officers about expectations.
7/8/2020	8/25/2020	47	Policy	RP was upset that EPD allows protesters to block streets causing fear for their safety to residents.	RP did not respond to Sgt. letter to talk about the issue.
7/13/2020	7/17/2020	4	Inquiry <b>Dismissed: Timeliness</b>	RP was upset that his trailer was towed by EPD.	<b>Dismissed: Timeliness</b>

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7/13/2020	7/29/2020	16	Service Complaint/ Conduct	RP was concerned that an officer who had cited his daughter tried to later call her at least 6 times. She finally texted the officer only to receive a text about a change on her court date. These calls came in very late at night.	Sgt. found it is not uncommon for officers to try and notify citizens to the change in court dates or times and many times at later hours due to the officers shift. Sgt. explained to RP the reason for the calls and that no policy had been broken, but agreed that an earlier time would have been more appropriate. Sgt. also spoke with the officer about alternatives to call someone so late at night.
7/15/2020	8/18/2020	33	Service Complaint/ Service Level	RP is concerned about the service received when he calls about transients and trespassers on his rental property.	Sgt. reviewed the calls for service to RP's property and found that in the latest incident the trespasser had left the property and the incident was given to beat officers as information. No policy violations. RP did not return calls to discuss the incident further.
7/16/2020	7/29/2020	13	Service Complaint/ Performance	RP reported an EPD officer who almost caused an accident when he pulled in front of her vehicle.	Sgt. contacted his team and reminded them to be aware of their driving in all circumstances, as the public notices. RP did not leave name or number.
7/16/2020	7/23/2020	7	Inquiry <b>Dismissed: Other</b>	RP alleged an officer threatened to run him over if he didn't move when he confronted them about parking on a sidewalk.	<b>Dismissed: Other</b> Review of body cams by the Auditor found that no officers threatened RP and that officers had a legitimate law enforcement reason for where they were parked.
7/16/2020	8/3/2020	17	Service Complaint/ Performance	RP reported that officers in a patrol car were not social distancing or wearing masks.	Sgt. spoke with the officers involved about the Chief's order on mask wearing.
7/16/2020	8/10/2020	24	Service Complaint/ Courtesy	RP alleged that an officer had driven through a coffee shop and told RP they were a cop killer for having a Black Lives Matter sign.	Sgt. emailed RP about the concern, but did not receive a reply. Sgt. then reached out to the shop and found that RP was not an employee. The employee mentioned that they had not heard of such an incident.
7/17/2020	8/3/2020	16	Policy	RP felt an area on I105 in the construction that was a Entrapment Area. Where officers cited people that were only trying to merge from lane to lane for speeding.	Sgt. communicated with RP about how the state is the one that sets speed limits on I105 and due to the hazard in the area of 2 areas merging and the construction, officers have been assigned to area to keep speeds down to the posted limit.
7/8/2020	7/22/2020	14	Policy	RP is concerned that an officer did not don a face mask while addressing a dog issue with him.	Supervisor spoke with RP and relayed the concerns to the officer involved.



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7/21/2020	8/5/2020	14	Inquiry	RP wanted EPD's help with returning a handgun to an ex and they alleged EPD was harassing her by making a traffic stop.	Review of body cams and records found that officers handled the hand gun exchange within policy. And that the traffic stop was part of that investigation and the officer acted professionally.
7/21/2020	7/29/2020	8	Inquiry	RP is concerned about how EPD has handled various continuing issues she had with neighbors.	Sgt. reviewed various incidents concerning RP and her neighbor and found that EPD had handled the incidents within policy. Sgt. spoke with RP about how to obtain Stalking orders and various other resources RP could pursue. Sgt. also forwarded RP's concerns to the Street Crimes Unit.
7/21/2020	8/25/2020	34	Inquiry	RP was concerned that an animal control officer was coming back months later threatening to give a citation for something that had already been handled.	Supervisor reviewed the calls for service and found that a new incident was the one in question. Supervisor spoke with RP about the confusion.
7/18/2020	7/29/2020	11	Inquiry	RP reported an incident in which she and her mother were racially profiled because an officer followed their car after looking at them.	Police records indicate that no vehicle or person stops occurred in the area RP noted. RP was not contacted by EPD, and an employee could not be determined without follow-up.
7/21/2020	8/26/2020	35	Inquiry	RP felt an officer was discourteous while dealing with an incident at his place of work.	RP did not respond to Sgt. voicemails to talk about the issue.
7/20/2020	7/24/2020	4	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP reported a person who claimed to be an officer who harassed her employees for having a Black Lives Matter sign in the business.	<b>Dismissed: Outside Jurisdiction</b>
7/23/2020	7/31/2020	8	Service Complaint/ Performance	RP reported officers who came by for a prohibitive camping and disorderly behavior issue near her home but did nothing.	Sgt. found that the officer did indeed look for the people acting in a disorderly manner, but they had left the area. Sgt. spoke with RP and provided other resources for the prohibitive camping in her area.
7/24/2020	8/25/2020	31	Policy	RP was concerned that firework violators are not cited.	Sgt. corresponded with RP about EPD's illegal firework policies.
7/24/2020	8/18/2020	24	Policy	RP is concerned about a homeless camp set up behind his back fence and the safety of his family.	Lt. spoke with RP about his concern and found the campers had moved on and RP had fortified the fence for more safety.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
7/27/2020	10/28/2020	91	Incident Review/ Use of Force	Numerous citizens complained that officers used force on a juvenile during a protest.	Sgt. reviewed the records and body cams of the incident and found that during the person in question had been damaging property during the protest. When officers attempted to take her into custody, she resisted. Officers did not know contacted her that she was a juvenile; they treated her in accordance with policy throughout the contact. Once the person notified officers of being under age she was treat as such, separated from adult suspects and cited and released to parents.
7/27/2020	8/12/2020	15	Incident Review/ Performance	RP is concerned that EPD is allowing vandalizing of his business while employees were inside. Police watched, no arrests were made.	Sgt. reviewed radio traffic, body worn camera's and police reports. The protest was monitored and as soon as damage begin to occur officers contacted subjects. Due to the unruliness of the crowd officers were pulled to another area. Arrests may take place in the future. Sgt. spoke with RP about the incident and EPD's actions.
7/27/2020	8/17/2020	20	Incident Review/ Performance	RP reported an incident in which officers declined to render aid to a protester who was having a seizure when notified by other protestors.	Sgt. reviewed police reports and dispatch records and found that as soon as EPD was notified of the issue, medics were dispatched. Fire and medics can not respond in a large crowd and the protestors were instructed to move the victim to short distance away from the crowd where medics contacted the victim. No evidence was found that EPD was negligent in handling the situation.
7/28/2020	8/10/2020	12	Policy	RP feels there should be an easy way to report vehicles that have expired tags so that the owners could be cited.	Sgt. spoke with RP and explained the staffing shortage that limited that type of enforcement unless the offender was pulled over for another offense.
7/28/2020	7/30/2020	2	Service Complaint/ Performance	RP reported 2 officers not wearing masks near the KIVA.	Sgt. was unable to identify the officers involved. RP did not return calls for further information.
7/28/2020	8/6/2020	8	Inquiry	RP was upset that officers were on her porch in the middle of the night and then just left. RP felt this may have been harassment.	Sgt. found that officer had been dispatched to another home on the same street for a dropped 911 call. Officers did not know they were at the wrong address until they were on the porch and saw the house numbers with their flashlights. Sgt. spoke with RP about the mix-up.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
7/23/2020	7/30/2020	7	Service Complaint/ Performance	RP was upset with a citation, feeling that she did not commit the infraction.	Sgt. reviewed police reports and body cams of the incident and found that the officer had cause to issue the citation and no policy violations were noted.
7/30/2020	7/30/2020	0	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP was upset that his underage daughter was allowed to leave a youth shelter.	<b>Dismissed: Outside Jurisdiction</b>
7/30/2020	7/31/2020	0	Inquiry	RP forwarded a video of what was felt to be harassment of a protester by EPD.	Preliminary investigation by the Auditor found that police had been dispatched to an armed robbery in the same building where the man (protester) lived and due to the description of the incident, a K-9 was there in case it became necessary to bring the person into custody. Once it was found that he was not involved he was released. RP was given the information about the incident.
7/30/2020	8/6/2020	6	Service Complaint/ Performance	RP reported an officer driving at least 10-15 miles over the speed limit on West 7th.	Sgt. pulled AVL information on the vehicle and found that it matched RP's concern. The supervisor reviewed expectations for safe driving with the officer.
8/3/2020	8/26/2020	23	Service Complaint/ Performance	RP was upset that officers would not take a report about harassment from her boyfriends parents over email considering COVID19.	Review of body cams confirmed that RP's issue was a civil one as officer had identified. Sgt. spoke with RP and explained the issue but also provided options about blocking unwanted emails and phone calls.
8/3/2020	8/18/2020	15	Policy	RP is concerned about the prohibited camping that is occurring in the neighborhood and the blocking of sidewalks that makes it impossible for disabled people to get by the camps on the sidewalk.	Lt. spoke with RP about the concerns, noting that prohibited camping in right of ways are now being looked into by Parking Services.
8/7/2020	8/7/2020	0	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP was concerned about the green City of Eugene car driving around with cameras on top collecting licenses plates of cars.	<b>Dismissed: Outside Jurisdiction</b>
8/4/2020	8/25/2020	21	Incident Review: Conduct	RP alleged that an officer who is a family member told an estate representative that he wished RP dead. RP also noted issues with an estate sale.	Sgt. spoke with RP about the concerns which turned out to be a family dispute over a an estate sale.

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8/5/2020	8/7/2020	2	Service Complaint/ Service Level	RP was unhappy that when he reported a bike theft from his neighbors and he had the suspects at hand EPD would not send anyone.	Supervisor found that at the time the bike had been left behind and that RP was not the victim so no call was initiated. The information was given to the beat officer. RP did not have voicemail to leave a message for contact with Supervisor.
8/5/2020	8/27/2020	22	Service Complaint/ Performance	RP felt an officer should have cited a person during a dispute.	Body cam of the incident found that officer followed policy, patiently explained to RP and others the actions being taken and why. RP did not return calls to discuss the incident.
8/5/2020	9/16/2020	41	Policy	RP was upset that activist groups were protesting at a city church.	Sgt. reviewed the incident and spoke with RP addressing the concerns.
8/7/2020	9/15/2020	38	Policy	RP was upset that police lured a person to Police headquarters and then arrested her for rioting.	Sgt reviewed the details of the incident and found that officers arrested the woman with probable cause for rioting. The arrest took place at the woman's home and she was not lured to police headquarters. Sgt. spoke with RP about the findings.
8/7/2020	9/8/2020	31	Service Complaint/ Performance	RP was unhappy with how officers handled a call for service about a domestic disturbance involving a BB gun and intoxicated suspects.	Lt. review body cam and reports of the incident and found that officers completed a thorough investigation and could not find probable cause to make an arrest. No policy violations were found. Lt. spoke with RP about the findings and how officers made the determination not to cite for the incident.
8/6/2020	9/16/2020	40	Inquiry	RP is unhappy that officers are surveilling his home, taking pictures of license plates, and questioning his family members.	Sgts review of RP's concerns found that officers did not violate policy during the investigation into RP's friend.
8/6/2020	9/30/2020	54	Policy	RP inquired into what the purpose was to share identifying information about suspects on EPD's Facebook page.	Supervisor emailed with RP about the issue. EPD posts such information in accordance with Oregon Public Records Law and their own policies as it is a matter of public interest.
8/7/2020	9/9/2020	32	Inquiry	RP alleged that his vehicle was damaged by EPD when it was searched and towed and the key fob was missing.	Sgt. was able to review body cam of the search and tow and found that none of the damage alleged by RP was done by EPD officers. The body cam also documented that no key fob was taken from RP during the arrest and it was never in possession of EPD.

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8/9/2020	9/9/2020	30	Service Company/ Service Level	RP was upset that when he requested information from EPD about an incident in his neighborhood he got no response.	Supervisor was unable to find a record of a request by RP and emailed RP with information on how to file a public records request.
8/6/2020	9/24/2020	48	Inquiry	Internal inquiry into rather an officer performed tasks related to his job description when he failed to retreat from a dangerous situation when directed by a superior.	Lt. reviewed the incident in question and addressed the job performance with the officer.
8/6/2020	9/2/2020	26	Service Complaint/ Courtesy	Internal concern about an apparent lack of respect during a discussion between officers referencing a person being struck with a 40mm.	Sgt. reviewed body cam and found the officers conversation took place in a patrol car. The profanity use was a descriptive metaphor and not directed toward or used to disparage any person.
8/6/2020	9/23/2020	47	Incident Review: Performance	Incident Review to examine whether a special unit's use of body-worn cameras was within policy.	Sgt. identified documentation that one of the officer's battery had died due to his extended work shift. A second officer was dispatched from home to the incident and body cam is stored at EPD for recharging and downloads.
8/11/2020	9/8/2020	27	Inquiry	RP was unhappy that officers came to his home to serve a summons pretended to be on a welfare check and stood at his open door which had been shut yelling for him.	Body cam review of the incident found that when officers knocked on RP's door, it opened. Officer stood on the porch and did not make entry, while calling out to RP, when RP contacted them, they explained the summons, and left the documents on the door step. No policy violations were noted. Sgt. spoke with RP about he findings.
8/12/2020	8/13/2020	1	Inquiry <b>Dismiss: Outside Jurisdiction</b>	RP is unhappy with how an incident between RP and her ex's mother was handled.	<b>Dismissed: Outside Jurisdiction</b>
8/13/2020	8/13/2020	0	Inquiry	RP posted a picture on social media claiming an off-duty officer made a scene at local business about wearing a mask.	Cpt. determined that the picture posted was not an EPD Officer and spoke with RP.
8/13/2020	9/16/2020	33	Service Complaint/ Performance	RP was upset that her daughter was not notified when her ex's current wife tried to commit suicide when the children were in the home.	Sgt. learned that the officers on the scene noted that the father was on the scene and there was no risk to the children. Since no crime had been committed police could not remove the children from a parent who had the right to have them. Sgt. spoke with RP about the incident.
8/13/2020	9/11/2020	28	Policy	RP is concerned that EPD is allowing camping along the high water line of the river.	RP spoke with RP about the area referenced was private property owned by ODOT and that EPD was working on a intergovernmental agreement to be able to police the area.

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8/14/2020	9/30/2020	46	Incident Review: Performance	RP reported that EPD officers did not give complete information to the jail personnel regarding an inmate's medical situation.	Review of the case found that the inmate had refused treatment at the hospital and that officers had followed up and document the incident in their reports.
8/17/2020	8/27/2020	10	Service Complaint/ Performance	RP is concerned that it appears EPD is not enforcing the law in regards to masks and social distancing.	Lt. reviewed the complaint and spoke with RP about the issue. A reminder went out to all personnel about the ORS that is applicable to RP's concern.
8/17/2020	8/31/2020	14	Incident Review: Conduct	Internal review of an employee's recorded time.	Sgt. reviewed the time noted and found no irregularities.
8/17/2020	9/14/2020	27	Inquiry	Review of video footage showed someone who looked to have a wound from a PepperBall on their head.	Sgt. found that an officer did fire pepperballs in the area where the video was shot, but the officer did not aim the pepperballs at anyone's bodies. Without a reporting party or evidence of an intentional policy violation, the investigation was closed.
8/18/2020	9/9/2020	21	Service Complaint/ Conduct	RP was concerned that officers arrested a homeless man who sleeps in the neighborhood.	Sgt. found that officers were dispatched to the scene due to a disorderly suspect. Due to the suspect's actions he was taken into custody no use of force was used except a takedown. Sgt. spoke with RP about the probable cause for the arrest and the situation.
8/19/2020	9/16/2020	27	Service Complaint/ Performance <b>Dismissed: Timeliness</b>	RP felt an officer did a poor job of documenting damage to her car.	<b>Dismissed: Timeliness</b>
8/23/2020	9/28/2020	35	Service Complaint/ Performance	RP is upset that officers rang her bell in the early hours of the morning investigating someone who used to live there.	Sgt. learned that the officers had followed up on an assigned case and no policy violations were noted. RP did not return calls.
8/23/2020	9/23/2020	30	Service Complaint/ Performance	RP is upset that no matter how many times loud noises area reported coming from the neighbors, they are never cited.	Sgt. found that due to a noise complaint being a lower priority dispatch the noise has subsided when officers arrive, giving them no probable cause to cite. Sgt. spoke with RP who informed that she had moved from the area.
8/24/2020	9/29/2020	35	Inquiry	RP was upset that an officer had not yet released her vehicle from impound.	Sgt. found that the officer was waiting on the city attorney to authorize the release. RP was informed when that release was granted.
8/24/2020	8/27/2020	3	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP alleged that an officer in an unmarked car racially profiled him by turning around and following him past his home and then waving.	<b>Dismissed: Outside Jurisdiction</b> Preliminary review found no EPD vehicles in the area at the time RP noted in his complaint.

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8/24/2020	9/17/2020	23	Inquiry	RP alleged that an officer hurt her.	Lt. spoke with RP who has mental health issues. RP denied any assault of a physical nature, but felt officers harassed her because she is homeless. The supervisor did not find any evidence of a policy violation.
8/25/2020	9/2/2020	7	Service Complaint/ Service Level	RP felt officers did not understand how the permitting system worked for selling wares downtown and were instead just harassing him.	Sgt. Reviewed body cam from the interaction and found that the officer was professional, gave RP warnings, but did not cite for violations of not having a permit and where RP had set up his tables. No policy violations were found. Sgt. spoke with RP.
8/25/2020	12/11/2020	106	Inquiry	RP reported on Facebook an EPD officer who made offensive comments about George Floyd's murder and the riots. RP did not provide a full name.	RP did not respond to the Sergeant or the Auditor's Office requests for more information. Administratively Closed.
8/24/2020	8/31/2020	7	Incident Review/ Performance <b>Dismissed: Other</b>	RP alleged that an officer pulled RP over illegally.	<b>Dismissed: Other</b> Review by Auditor found no policy violations
8/27/2020	9/1/2020	4	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP was upset at the arrest of her husband when she declined to press charges.	<b>Dismissed: Outside Jurisdiction</b>
8/28/2020	9/14/2020	16	Service Complaint/ Performance	RP is upset with an officer's comment about some of her neighbors not concerned about her noise complaint. RP believes no action was taken by the officers.	Sgt. spoke with RP about her concerns about the homeless camping issues in her neighborhood.
8/26/2020	9/14/2020	18	Service Complaint/ Performance	RP was upset that when they had a disorderly person in their place of business and was assaulted the call taker worried more about whether they wanted to press charges than sending help.	Supervisor spoke with RP about the situation and explained EPD's policy in the situation. Also coached the call taker on further questions that could have been asked in this incident.
8/28/2020	8/31/2020	3	Inquiry <b>Dismissed: Timeliness</b>	RP was concerned about how a 2013 incident was handled.	Dismissed: Timeliness
8/28/2020	8/31/2020	3	Service Complaint/ Performance	RP was upset that an officer had blocked a traffic lane while performing a traffic stop.	Review of body cam and ICV found the officer had followed policy for officer safety during the stop. No policy violation.
8/31/2020	10/1/2020	31	Service Complaint/ Performance	RP was concerned about a Facebook post made on EPD's page about helping officers in need. RP felt it encouraged vigilantism.	Review of the post and the question asked found that there was no reference to vigilantism and that the answer had been appropriate to the what the writer had asked.



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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
9/1/2020	9/8/2020	7	Policy	RP believes officers can not ask him to move his RV due to a law signed into effect by a federal judge.	Lt. conferred with the City Attorney and learned that RP is mistaken in the understanding of the law. RP was unable to be contacted.
9/2/2020	10/5/2020	33	Incident Review: Conduct	RP reported a concern that an officer was unhelpful in issues involving trespassers and people using racial slurs and at times appeared to take the side of the trespasser.	Review of body cam of the incident found that officers were calm and professional while taking RP's report. Sgt spoke with RP to address any further concerns.
9/10/2020	10/19/2020	39	Service Complaint/ Performance	RP felt an officer was unfair in how a mutual dispute was handled.	Bodycam and police reports found that the officer acted within policy, giving all parties equal opportunities to press charges and ask questions. No policy violations were noted. RP did not return phone calls.
9/1/2020	9/21/2020	20	Inquiry <b>Dismissed: Timeliness</b>	RP alleged officers arrested her even though the complainant did not want to press charges.	<b>Dismissed: Timeliness</b>
9/14/2020	10/14/2020	30	Inquiry	RP is upset that officers are coming to her door late at night, at the request of her ex who is calling in fake welfare checks.	Sgt. spoke with RP about the concerns and explained that typically watch commanders help with scheduling the time on welfare checks but due to call load it is not always possible.
9/16/2020	10/12/2020	26	Incident Review: Performance	RP is upset that a restraining order is not being taken seriously by EPD.	Review of body cam during the investigations found that no probable cause could be made to cite for a violation of the restraining order. Each time the correct action was taken by officers. Sgt. spoke with RP and explained the issue.
9/17/2020	11/16/2020	59	Inquiry	RP was concerned that no response is dispatched when he reports car burglaries in his neighborhood.	Supervisor reviewed calls made by RP and found no policy violations by the call takers. When talking with RP the issue appeared to be frustrated with not enough officers being available for dispatch.
9/14/2020	10/7/2020	23	Incident Review: Performance	Auditor initiated review of a Body Worn Camera Violation.	Review found that the officer had forgotten to turn on the camera. Supervisor provided corrective action.
9/21/2020	10/21/2020	30	Inquiry	RP inquired into why there are no prompts for Cahoots on the non-emergency phone tree.	Supervisor was able to report that such an option has been in the works since July of 2020 and will be implemented soon.
9/21/2020	9/29/2020	8	Policy	RP is concerned about the change in policy in regard to EPD's no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.

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Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
9/21/2020	10/6/2020	15	Service Complaint/ Performance	RP is upset that a man who assaulted her had not yet been charged.	Sgt. learned that the officer had followed up on the investigation but had initially not been able to locate the suspect. Once the officer learned where the suspect was, they were arrested. RP was happy with the outcome.
9/21/2020	10/9/2020	18	Service Complaint/ Courtesy	RP reported an officer who was rude during a mail theft report.	Sgt. found that RP had confused two separate incidents in which she spoke with EPD officers and that the incident in question was actually transferred to an outside agency.
9/22/2020	9/29/2020	7	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
9/22/2020	10/6/2020	14	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
9/23/2020	9/29/2020	6	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
9/23/2020	10/30/2020	37	Service Complaint/ Performance	RP reported an officer who stopped at a red light, apparently became impatient and then ran the light.	Sgt. identified that at the time in question officers were on a call for service for a fugitive in the area. The officer was not using lights and sirens due to that fact and had cleared the intersection before entering.
9/23/2020	10/6/2020	13	Inquiry	RP reported that when he was arrested, he was not read his <i>Miranda</i> rights and his handcuffs were too tight.	Sgt. learned that RP had come to EPD to inquire if a warrant was out on him. RP was placed in handcuffs which were applied and double checked for tightness. <i>Miranda</i> was not given because RP was not being questioned. RP did not return calls.
9/23/2020	9/29/2020	6	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
9/23/2020	11/12/2020	49	Incident Review: Use of Force	Auditor requested that the Defensive Tactics supervisor review a use of force.	The supervisor reviewed the incident and found the use of force to be within policy. The Auditor concurred. A training issue with body-worn camera was noted and communicated to the involved employee.

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9/22/2020	10/30/2020	38	Service Complaint/ Performance	RP complained that an officer would not charge a person who threatened to assault him.	Sgt. reviewed body cam and noted that the officer conducted an investigation, but that RP left while the officer was still trying to ask questions. The officer did not have enough information to continue. RP did not return calls.
9/24/2020	9/29/2020	5	Policy	RP is concerned about the direction EPD is taking with the incident of a defaced car, with messages against BLM. Extra resources were used when usually citizens are told fill out an online report. RP felt special attention was given.	Sgt. spoke with RP about the steps EPD takes in a bias crime and informed RP that these were standard investigative steps for a bias crime.
9/24/2020	9/29/2020	5	Policy	RP was called from EPD from a blocked number with no message given. RP who did not answer the call found out the next morning that it had been EPD. RP would like to see the blocked numbers reconsidered.	Sgt. spoke with RP about the concern and noted he would forward it up the chain of command.
9/24/2020	10/29/2020	35	Service Complaint/ Performance	RP was upset that she was getting the run around when trying to pick up her son's belongings from Evidence Control.	Supervisor found that the delay was in court protocols. Once the process was complete RP was notified and the belongings returned.
9/24/2020	10/9/2020	15	Service Complaint/ Performance	RP felt that officers who responded to a call for service concerning a retraining order appeared to be trying to change the order, which RP knew had to be done by a judge.	Lt. found that RP had misunderstood the order and its two separate distance requirements due to the parties living in the same apartment complex. Lt. spoke with RP about the order and the two separate requirements.
9/25/2020	10/9/2020	14	Incident Review: Conduct	RP alleged that after being released from jail his wallet was not with his property.	Review of body cams of the arrest and police reports found that RP did not have a wallet on his person at the time of the arrest.
9/25/2020	10/19/2020	24	Service Complaint/ Courtesy	RP reported an officer who was rude during a traffic stop and was not wearing a mask.	Sgt. reviewed body cam and found nothing that rose to the level of discourtesy. Motorcycle officers have helmets that cover their face, and were not required to wear additional face coverings. Sgt. spoke with RP about the concerns.
9/29/2020	10/12/2020	13	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
9/29/2020	10/30/2020	31	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.

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9/29/2020	10/19/2020	20	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
9/30/2020	10/19/2020	19	Service Complaint/ Performance	Auditor initiated a review of a use of force.	Review of body cams noted no policy violations occurred, but various training points were relayed to the officers.
9/30/2020	11/16/2020	46	Inquiry	RP reported officers who accused her of trespassing and then called her by someone else's name. RP thinks this is because she called the Auditor.	Sgt. found that a call for service for trespassing had come in from a neighbor to the address RP was at. Officer's spoke with RP and when it was verified that RP had a purpose at the residence was allowed to go. Another officer had mistakenly called RP by another name during an previous interaction.
10/1/2020	10/29/2020	28	Inquiry	RP reported that his bicycle was not in the evidence locker after he was released from the Lane County Jail.	Supervisor researched the incident and found due to reported damage to the bike racks EPD now lodges bikes at Evidence Control. It was during this time RP's bike went missing. Supervisor found RP's bike to be a valid risk claim and directed RP in where to file it.
10/1/2020	10/12/2020	11	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
10/6/2020	10/13/2020	7	Service Complaint/ Performance	RP was concerned about a traffic stop that occurred in the driveway of his home which frightened his family not knowing what was going on. RP wished follow up would have happened.	Sgt. contacted RP with a summary of what his occurred.
10/7/2020	10/8/2020	1	Inquiry Dismissed - outside jurisdiction	RP complained that Council sought "Greater Diversity" on Police Commission and that the new appointments were all nonwhite people.	Dismissed - outside jurisdiction
10/8/2020	10/20/2020	12	Inquiry	RP inquired into the status of a investigation.	Lt contacted RP with an update of the investigation.

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10/8/2020	11/12/2020	34	Service Complaint/ Courtesy	RP an officer was rude and gave unsatisfactory service when she tried to report being harassed by her boyfriend's ex.	Review of Body Cam found that the allegation of rudeness and unsatisfactory service was unfounded. The officer contacted RP during an investigation of telephonic harassment and advised RP to cease contacting the other party. The officer was calm, polite and answered RP's questions.
10/6/2020	10/14/2020	8	Service Complaint/ Performance	RP believes that the arrest of local activist was in retribution for their part in a lawsuit. The arrest was also in front of the person's family.	Review of the arrest found that it was due to an ongoing investigation into criminal behavior during a riot in May of 2020. The officers had probable cause to arrest the person. Care was taken with the child and a family member was called to care for the child.
10/13/2020	10/27/2020	14	Policy	RP is concerned about the change in policy so that EPD is no longer responding to prohibited camping.	Lt. spoke with RP and explained the new policy and how such reports were now taken by Parking Services and if criminal activity was happening in the moment EPD would respond.
10/15/2020	11/19/2020	34	Service Complaint/ Use of Force	RP alleged an officer assaulted him by kicking him twice in the ribs.	Review of body cam found that the officer lightly pushed RP back to the ground when RP tried to stand while being told to get on the ground. RP did not return calls to speak with the Sgt.
10/16/2020	11/4/2020	18	Service Complaint/ Performance	RP reported an EPD officer who was driving erratically at 7th and Blair.	Review of the officer's ICV found no erratic driving at the time mentioned by RP. The officer pulled off in to a parking lot to contact a suspect who was on foot. RP did not return calls.
10/19/2020	11/2/2020	13	Policy	RP was concerned that EPD had put pink on the sides of their vehicles for breast cancer awareness month and that officers were allowed to have tattoos.	Sgt. attempted to contact RP to talk about the concerns but did not receive a return call.
10/19/2020	11/12/2020	23	Incident Review: Use of Force	RP's friend called for Cahoots due to RP being a threat to himself. 7 officers showed up tased him and took him to the hospital.	Review found that a call for service had come in for a person who was high on acid, banging on doors and refusing to leave. Due to the call details, Cahoots could not be dispatched. RP refused officers orders, advanced on officers in an aggressive manner, swinging arms. When ordered to stop RP advanced on officers and was tased. RP was then transported to the hospital for evaluation. No policy violations were found.

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11/2/2020	12/1/2020	29	Service Complaint/ Service Level	RP is upset that when he reported his sister being accosted by a homeless man on his front porch in broad daylight EPD did not respond.	Review of the incident found that officer did respond to a nearby home who had also called about the man. When the man could not be found the officer closed the call "Gone on Arrival". Lt. reached out to RP and his sister and explained that in this case contact should have taken place.
10/23/2020	11/9/2020	16	Incident Review: Performance	When RP got knocked out by two men after he slammed their car doors when they were harassing others, RP woke up in handcuffs and an officer had allowed the aggressors to get away.	Review of the incident found that the suspect was cited for disorderly conduct due to the altercation that happened with the occupants of the vehicle. After RP was released the two occupants of the vehicle were also cited. RP was informed of the outcome.
10/23/2020	11/23/2020	30	Service Complaint/ Service Level	RP was upset that EPD did not respond to a call about a man screaming for hours outside her apartment complex.	Supervisor found that call takers were familiar with the suspect in the call and due to call load for Cahoots did not dispatch for the call. Supervisor spoke with employees noting that since Cahoots was unavailable the call should have been given to patrol. Supervisor contacted RP and explained the incident and steps taken with staff.
10/27/2020	11/12/2020	15	Policy	RP's have tried for months to get a response from EPD to the illegal camping situation in front of their place of business.	Sgt. spoke with RP about the new reporting methods that the city has set up.
10/27/2020	11/9/2020	12	Service Complaint/ Performance	RP felt a incident in which he had an altercation with a woman was not handled properly and was not followed up on.	Supervisor reviewed video and reports and found that the officer's investigation was thorough, unbiased and professional. No policy violations found.
10/28/2020	11/2/2020	4	Policy	RP was concerned that EPD is allowing protests down neighborhood streets. The horns, yelling, cursing and threats are disturbing the peace.	Sgt. spoke with RP about the concern and the balancing act EPD must work through to allow people to protest peacefully.
10/28/2020	11/12/2020	14	Policy	RP is upset with the prohibited camping in front of her place of business..	Sgt. spoke with RP about the new policy the city has set up and the reporting venues to use to make a report.

## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
10/28/2020	12/8/2020	40	Service Complaint/ Performance	RP alleged that two officers followed and taunted her at the airport when she tried to report other citizens who had taken off their masks.	Review of the incident found that officers had been helping TSA at the time they heard yelling 30-40 feet ahead of them. One of the officers followed to be sure no aid was needed. RP never contacted the officers about the incident and no further aid appeared to be needed. Also officers did not note anyone in the immediate area without a mask.
10/28/2020	10/30/2020	2	Service Complaint/ Performance <b>Dismissed: Timeliness</b>	RP feels reports of missing items are not being taken seriously.	<b>Dismissed: Timeliness</b>
11/2/2020	11/16/2020	14	Service Complaint/ Performance	RP reported an EPD vehicle traveling 10 miles over the speed limit.	Sgt. spoke with RP about the concern and then relayed driving expectations to the involved employee.
11/3/2020	11/12/2020	9	Service Complaint/ Service Level	RP reported officers who did not respond to his call for service about a woman smoking marijuana in the park.	Sgt. found that officers had responded to the call and found no one smoking marijuana in the area and then cleared. Sgt. contacted RP with the findings.
11/4/2020	11/12/2020	8	Policy	RP is upset that EPD is not helping with a very large homeless camp in her neighborhood.	Sgt. spoke with RP about EPD's Policy and gave tips on how to get assistance on specific criminal behavior.
11/5/2020	11/9/2020	4	Service Complaint/ Conduct <b>Dismissed: Timeliness</b>	RP recently learned that a couple of EPD officers are related to her and may have a conflict of interest during interactions with her.	<b>Dismissed: Timeliness</b>
11/5/2020	12/1/2020	26	Inquiry	RP was upset that officers towed her vehicle from private property when she got a flat tire. They also tackled her and left her without her property.	Review of the incident found that RP had been chasing someone with her vehicle when she hit a curb and flattened the tire. During the investigation RP exhibited behavior that lead officers to place RP into a mental hold. The vehicle was towed for safekeeping. No policy violations were noted.
11/8/2020	11/9/2020	1	Inquiry	RP was upset that officers were in her yard antagonizing her.	Lt. reviewed records of the incident and found that RP had been hallucinating at the time pointing out things in the trees that were not there. Lt. spoke to RP who claimed officers were still present even though they had left. Cahoots services were offered to RP.



## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
11/9/2020	11/30/2020	21	Service Complaint/ Performance	RP feels officers are retaliating against him and charged him for trespassing for filing a complaint about not being able to report a stolen vehicle.	Review found that the officers concluded that RP's issue with his vehicle was a civil issue, not criminal. The second incident was unrelated; officers had probable cause to support a trespass citation.
11/9/2020	12/4/2020	25	Service Complaint/ Performance	RP was unhappy that on officer who cited her and a friend for a seatbelt violation was not wearing a mask.	Review of the incident found the officer to be a motorcycle officer. Masks are not required due to their helmets, which cover their faces.. To mitigate officers go to passenger side of the vehicle to maintain a 6-foot distance. RP was given information about the policy.
11/10/2020	12/9/2020	29	Service Complaint/ Performance	RP was unhappy that an officer had not forwarded a file about child abuse to the DA.	Sgt. found that some of the issues alleged by RP were perjury which is filed by the court. DHS had also reviewed the case and found no crimes had been committed. No policy violations were noted by the supervisor.
11/12/2020	12/28/2020	46	Incident Review Performance	Internal complaint that an officer failed to follow expected investigative steps.	After review of the incident the file was referred to the officer's supervisor to address performance issues.
11/9/2020	12/14/2020	35	Service Complaint/ Performance	RP reported two officers speeding on Roosevelt.	The anonymous RP did not provide enough information to determine involved employees. Officers driving in the area were reminded of observing traffic laws.
11/13/2020	11/24/2020	11	Service Complaint/ Performance	RP is a delivery driver and complained that EPD vehicles in commercial spots make it hard to do downtown deliveries to businesses.	Sgt. was able to provided RP information about parking downtown, especially that delivery drivers were allowed to park in alleys to unload.
11/14/2020	11/16/2020	2	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP reported an incident in which an officer may have acted in a biased manner.	<b>Dismissed: Outside Jurisdiction</b>
11/18/2020	11/30/2020	12	Inquiry	Radio traffic during the protests included information that an officer had been shot with a paintball gun; this was an inquiry into that statement.	Review of the incident found that a male suspect struck the side of a patrol car with a paddle. No paintballs were involved.
11/12/2020	11/19/2020	7	Service Complaint/ Performance	RP reported an unmarked police vehicle was speeding on Hwy 20 and came very close to hitting RP's vehicle while passing.	Sgt. spoke with RP and then with the officer involved about the importance of obeying all traffic laws and setting an example.

Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
11/18/2020	12/17/2020	29	Service Complaint/ Courtesy	RP is unhappy that a person walking their dog in the park was treated rudely by an officer.	Supervisor found that the officer gave the citizen the wrong information about the leash law in the area.. Employee was brought up to date on the law. Supervisor spoke with RP.
11/18/2020	12/17/2020	29	Service Complaint/ Performance	RP was unhappy that EPD did a sweep of a homeless camp in the neighborhood. RP also mentioned an officer was not wearing a mask within 6 feet of people in the community.	Supervisor noted that EPD did not conduct enforcement in the park, but were present while Parks and Open Spaces addressed the camp. The officer was coached about always wearing a mask while working with the public.
11/24/2020	12/1/2020	7	Inquiry	Review of body-camera video included a questionable remark by an employee made to other employees. Inquiry into that statement.	Sgt. found the comment made was in frustration after officers had not been allowed to deal with lower level crime during the riot. The officer felt that letting the matter escalate would later cause officers to have to use more force. The employee was clear that they were not advocating for more force.
11/28/2020	12/3/2020	5	Service Complaint/ Use of Force	RP alleged that officers roughed him up while taking him into custody for shoplifting.	Sgt. reviewed body cam and found that RP was already detained by security when officers arrived. When RP refused to provide hands for cuffing an officer placed a knee mid back of RP and cuffed him. No reportable use of force or policy violations were observed.
11/24/2020	12/24/2020	30	Service Complaint/ Performance	RP complained that they did not hear back about a welfare check, and they were concerned it was not taken seriously.	Supervisor found that of the two calls for service were both sent to Cahoots. Cahoots made contact on the first and cleared assisted. The second was cleared quiet on arrive as RP's friend did not come to the door. Supervisor spoke with RP about the issues RP's friend was having and the steps EPD had taken.
11/30/2020	12/3/2020	3	Service Complaint/ Service Level	RP was upset that EPD did not respond to a report of a trespasser who had built a fire on his property.	Review found that the call taker did not enter the information about the camp fire, causing the priority of the call to fall into the queue with a delay of 5 hours. Supervisor spoke with RP about the concern and apologized for the miscommunication that occurred.

## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
12/3/2020	12/8/2020	5	Inquiry	RP inquired into an incident in which her young son was questioned in regard to a call about someone peeking into cars in the area. RP's son is bi-racial, RP wonders if officers were being honest about the situation.	Auditor reviewed information about the incident and found that officers had been dispatched to the area and spoke with RP and her son due to the similar description. At the same time other officers actually detained and arrested a person wearing similar attire a few streets over who admitted opening cars.
12/10/2020	2/16/2021	66	Incident Review: Performance	RP complained that in 2019 an officer cited her for a suspended license when she had been in the drivers seat. And got upset when she did not want to sit on the wet ground during the tow search.	After review the complaint was Dismissed: Timeliness and for the officers actions and Alternative Remedy due to the citation being the courts jurisdiction.
12/10/2020	1/25/2021	45	Inquiry	RP alleged that officers used excessive force on a woman in a mental health crisis.	Lt. reviewed the incident and found that the woman was physically resistive despite extensive attempts to de-escalate her and the situation. The woman also was able to slip her cuffs and repeatedly banged her own head into the divider shield of the patrol vehicle. RP did not return voicemails to speak with the Lt.
12/10/2020	1/6/2021	26	Policy	RP was concerned about the length of time EPD took to release information about an officer involved shooting.	Sgt. spoke with RP about Oregon's system in which IDFIT does the investigation and then the DA reviews before information is released. EPD does not have control of the timeline.
12/10/2020	1/6/2021	26	Policy	RP is concerned about the prohibited camping happening all around the city. No Covid protocols seem to be happening so RP is perplexed that the city is still allowing the camps.	Sgt. spoke with RP about EPD's policies concerning prohibited camping during the pandemic.
12/10/2020	12/30/2020	20	Inquiry	RP inquired into why police stood down and went away during a neighborhood dispute. RP feels this will only happen again.	Cpt. spoke with RP about the incident in which the person was in the middle of a mental health crisis. To not escalate the situation officers left and returned at a later date and were able to arrest and then get the person help.
12/10/2020	1/6/2021	26	Policy	RP is concerned about prohibited camping in his neighborhood. Sidewalks are blocked, and people area being threatened.	Sgt. spoke with RP about the city's new policies and which departments are now enforcing the camping issues.

## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
12/10/2020	1/4/2021	24	Service Complaint/ Courtesy	RP felt an interaction with an EPD officer did not go well, and that officer was rude.	Sgt. found that RP's main concern was that 2 other officers stood back watching and that the officer asked her to put her pepper spray away. Both issues were explained to RP, the officer was a new officer in training and the others were trainers. Putting the pepper spray away is an officer safety issue and is asked of all contacts. Once RP was aware of these things she was satisfied with the interaction.
12/10/2020	1/22/2021	42	Service Complaint/ Service Level	RP has been unable to get an officer to return calls so further information could be provided about a vandalism case.	Sgt. reviewed the incident and found that the officer had attempted to call RP back and meet up with a number that had been disconnected. The officer was then off work for 3 weeks. The Sgt. also was unable to make contact with RP with the numbers provided.
12/11/2020	1/6/2021	25	Policy	RP is concerned that EPD's and the city's new process for reporting prohibited camping is not working, as the timelines stated are not being meet.	Sgt. spoke with RP about the concerns and the situation in Eugene around homelessness.
12/3/2020	12/29/2020	26	Inquiry	RP alleged being hit by an officer across the face with a baton.	Review of the call for service and body cam found that no use of force of any kind was use on RP. RP was transported to University District under protective custody.
12/11/2020	1/22/2021	41	Service Complaint/ Performance	RP inquired into how a bank forgery case was coming along.	Sgt. learned that the officer has a subject identified but has been unable to locate the suspect. An ATL has been put out. The officer was able to text with RP the updates of the case.
12/14/2020	1/27/2021	43	Service Complaint/ Performance	RP was concerned that neither Cahoots or EPD showed up to a call for service for men harassing people who were waiting out side of the League.	Supervisor reviewed the call and found that the verbage used by RP lead the call taker to enter a call for Cahoots. Cahoots' call time wait was 50 minutes at the time and when Cahoots arrived the men were gone from the area. Supervisor spoke with RP about the findings and discussed helpful verbage for future calls that would enable the call taker to depict an urgent or dangerous situation.
12/16/2020	1/5/2021	19	Service Complaint/ Performance	RP was concerned that EPD launched a search warrant with large bangs and drones near the daycare center she manages. Warning would have been helpful in managing the situation with the children.	Lt. spoke with RP about the situation and noted that the warrant was served far enough away to not be a risk to the center, but that the team in charge definitely should have notified the center about police presence in the area.

# Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
12/16/2020	12/28/2020	12	Service Complaint/ Service Level	RP was upset at being led to believe EPD would take a report about a business that would not allow her to go without a mask. Later she was told no report would be taken.	Supervisor found that a miscommunication had occurred in that the store owners had also called about the incident. RP was told officer would respond but not that it was due to the owners call. Supervisor spoke with RP about the miscommunication and why a report would not be made.
12/16/2020	1/5/2021	19	Service Complaint/ Performance	RP was upset that officers would not take a report concerning death threats from his partner's ex.	Sgt. reviewed body cam of the investigation and concurred with the officer that at that point no crime had been committed. The officer did file a report on RP's behalf at the time to document the incident. Sgt. spoke with RP to clarify what had taken place and the steps the officer had taken.
12/16/2020	1/20/2021	34	Service Complaint/ Performance	RP feels EPD is not taking seriously her reports about cyber issues and a possible entry into her apartment where pills may have been taken.	Sgt. learned that the officer had offered to take a report about the possible theft but was declined by RP. The officer did make extensive notes in the incident report. The cyber issue officer spent nearly an hour with RP explaining what type of information would need to be gathered by RP before a report could be taken. The officer also advised RP to call dispatch with further information. No policy violations were committed by the officers. Sgt. spoke with RP about the concerns.
12/18/2020	12/31/2020	13	Inquiry	CRB, while reviewing the Community Impact Case, asked for more information on an officer's deployment of six 40 mm less lethal sponge rounds on May 30, 2020.	The deployment of the sponge rounds were used in a field force situation as officers were trying to push rioters out of the downtown core. Each was used to scatter the crowd and to facilitate taking rioters into custody. The reviewer concurred with the chain of command that the deployments were within policy.
12/18/2020	1/19/2021	31	Service Complaint/ Performance	RP was confused why EPD would not let her report a garage that was broken into in her apartment complex.	Supervisor contacted RP and explained call screening protocols and that since RP was not the victim of the crime and that it was not occurring at the time EPD would not dispatch. Suggestions for RP involved speaking with her apartment manager so the owner could be identified to make the report.

# Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
12/22/2020	1/7/2021	15	Inquiry <b>Dismissed: Outside Jurisdiction</b>	RP reported officer who did not provide <i>Miranda</i> to an arrestee.	<b>Dismissed: Outside Jurisdiction</b>
12/22/2020	2/8/2021	46	Inquiry	RP was concerned about EPD handling a search warrant and the follow-up.	Sgt. reviewed the investigation and found no policy violations by officers. Sgt. contacted RP and answered questions about the warrant and the outcome.
12/22/2020	12/30/2020	8	Inquiry <b>Dismissed: Timeliness</b>	RP reported dissatisfaction with how restraining order violations had been handled by EPD.	<b>Dismissed: Timeliness</b>
12/23/2020	1/7/2021	14	Service Complaint/ Performance <b>Dismissed: Timeliness</b>	RP submitted a complaint about how a traffic stop was handled.	<b>Dismissed: Timeliness</b>
12/28/2020	3/9/2021	71	Inquiry	RP is upset that a towing company is not following the contract it has with EPD.	Sgt. researched the situation and found an error had been made by the towing staff in calculating the storage fee. The fee was refunded to RP.
12/18/2020	12/31/2020	13	Inquiry	Inquiry into comments made by an officer during the protest/riots on 5/30/20.	Investigation of the incident found that officers were conversing about possible strategies to deal with the rioting that was happening considering they did not have adequate man power. No policy was violated in this conversation amongst themselves.
12/30/2020	2/9/2021	39	Service Complaint/ Courtesy	RP complained that an officer was rude and aggressive during a traffic stop.	Sgt. reviewed body cam and found that the officer was argumentative with RP which was not necessary for the stop. The officer was coached by the Sgt.
12/30/2020	2/3/2021	33	Inquiry	RP was concerned that an officer taking her son's phone was illegal.	Sgt. learned that the phone was seized as evidence in a crime, that RP's son provided the passcode and the phone was not entered until a search warrant had been obtained. Sgt. spoke with RP and explained the circumstances of the phone being seized.
12/16/2020	1/5/2021	19	Inquiry <b>Dismissed: Previously Reviewed</b>	RP resubmitted a complaint about an assault, wanting to press charges.	<b>Dismissed: Previously Reviewed.</b>

## Appendix B: Incident Reviews, Inquiries, Policy Complaints, and Service Complaints

Received Date	Closed Date	Time Open (days)	Classification	Summary	Outcome
12/31/2020	1/19/2021	19	Inquiry <b>Dismissed: Timeliness</b>	RP alleged that EPD deleted a call log to help SPD violate his rights 2018.	<b>Dismissed: Timeliness</b>



CITY OF EUGENE

# Civilian Review Board Annual Report

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## 2020



# Eugene Civilian Review Board 2020 Annual Report

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## **Introduction**

Ordinance 20374 which enables Eugene's Civilian Review Board, requires the Board to "...prepare and present an annual report to the city council that:

- (a) Summarizes the civilian review board's activities, findings and recommendations during the preceding year;
- (b) Assesses the performance of the police auditor...; and,
- (c) Evaluates the work of the auditor's office, including whether the office is functioning as intended." [ORD 20374; 2.246 (7)]

Eugene's Civilian Review Board (CRB) is designed to provide transparency and help ensure public confidence in the police complaint process. The Board evaluates the work of the Independent Police Auditor, and reviews complaints to provide a community perspective about whether complaints are handled fairly and with due diligence.

This annual report contains a summary of the work that the CRB undertook in the year 2020. As set forth in the ordinance, case reviews and assessment of the police auditor and the auditor's office are included in the case summaries. As in years past, the bulk of this report centers around the cases reviewed by the CRB. While detailing the allegations investigated, the issues discussed, and our discussions and findings, this report only touches on the work that we have put into our responsibilities.

Our meetings are open to the public and provide an opportunity to review the complaint process and hear input from members of our community. Discussing complaints in public allows the community to learn about the complaint intakes, classifications, investigations and determinations as they are discussed openly and critically. We are committed to maintaining the confidentiality of the involved parties per the Ordinance and State law. It also allows members of the public that have filed complaints to ask the Board for review of their case at a future meeting. This year, due to COVID-19, meetings were shifted to an online format. The public was still welcome to provide comment and the meetings were recorded and made available to the public.

We strive to be respectful of those who are not present in the meetings, whether it be the complainant or the officer of the alleged police misconduct in question. This requires balancing confidentiality and the expectations of transparency to maintain public confidence in the system. This balance is an ongoing discussion of both procedure and performance. Our meetings are open to the public, yet generally lightly attended. We have detailed written minutes and now, as mentioned above, also offer a video recording.

We strive to balance evaluating the actions of an officer (performance) with the expectations of action of the officer (written policy). We believe that we have, as in years past, found a way to balance transparency with confidentiality.

To this end, the Office of the Police Auditor (OPA) was integral in examining the issues at hand and in presenting the cases each month. As you will see in the case summaries

and reviews set forth in this report we, the CRB, could not do our job as well as we do if it were not for the excellent work by Internal Affairs and the Police Auditor's office. After an all-time high of 446 complaints in 2019, the Auditor's office and EPD saw less than a 9% decrease in complaints from 2019 to 2020. Despite having to close the Auditor's office doors to walk-ins throughout most of the year due to the pandemic, the 407 complaints received was on trend with past years. A ten-year span shows an approximate average of 380 complaints per year. Many of the complaints continue to be customer service oriented. We are hopeful that with increases in funding and staffing, EPD may be better able to address the customer service demands of our community by being able to provide a timely response to non-emergent calls for service, and that new revenue dedicated to more preventative services like homelessness and prevention services allow for a more care-oriented approach to community interactions.

Training and the use of body-worn cameras have improved the ability of the Auditor's office and Internal Affairs to more precisely see the events unfold in a situation where there is a question about an officer's conduct. In addition, they now allow the Auditor's office to better triage complaints. They have also exposed misconduct and policy violations absent a citizen complaint.

Members of the CRB also watch the recordings and listen to the audio. Our reviews are improved by this technology. However, we are cautiously aware that the cameras record from a limited perspective. A person who believes that they were not treated properly is describing their experience from the opposite or adjacent perspective of the officer's camera. Additionally, there were concerns this past year expressed by CRB members regarding the muting of body worn cameras. These concerns were referred to the Police Commission and Ad Hoc Committee for consideration. This year we continued to see the benefits of the BlueTeam software program which allows for tracking uses of force and other reportable incidents allowing both EPD and OPA the chance to know quickly when a use of force or other reportable incident occurred and can be reviewed without delay or the need for a citizen complaint. This does require that the Auditor and Deputy Auditor review approximately 100-200 more incidents in addition to the complaints received. BlueTeam review and the accompanying report, plus the body-worn cameras enhance and provide clarity to the review process.

In addition to service complaints and case reviews, the CRB engages in continuous learning associated with police practices, civil rights, constitutional-based policing practices, and interactions with vulnerable communities. Just as each case brings forth a new issue, so too does the continued learning by board members of community services that impact the job of the EPD. The efforts in continuous learning prove beneficial to the Board's overall approach to its mission by ensuring a comprehensive understanding of relevant processes and community factors influencing various decision makers and affected parties.

The Board also considers and discusses current policies and practices and whether revisions seem appropriate. These policy concerns are sent to the Police Commission and the Police Chief through the CRB's appointed representative to the Police Commission. We also welcome an observer from the Human Rights Commission, and as much as possible have a CRB member and Auditor staff attend their monthly meeting.

The past year was one of historic importance in the American struggle for racial justice in policing. Eugene residents joined many others across the nation in publicly and forcefully protesting the death of George Floyd at the end of May. The CRB, in turn, took the opportunity to reflect on our own practices and establishing ordinances in an effort to continually improve transparency and service to the broader community. We decided to increase the number of cases we review each month and the number of meetings for the duration of the year. In addition, the Board dedicated hundreds of additional hours to review and analyze the community impact case that resulted from the protests. Finally, we requested, and were granted by City Council, the establishment of an ad hoc committee to review police oversight in Eugene. Two representatives from the CRB participated in this process, which lasted until April of 2021.

We have an engaged and thoughtful civilian review board that invests considerable personal time to participate in and evaluate the police oversight processes in Eugene. They are the community's representatives who analyze the internal administrative personnel processes of EPD and the external monitoring and complaint intake processes of the Auditor's office. The CRB continually strives to have open and transparent discussion of cases brought before it and provide policy and training recommendations within the confines of the Oregon Public Records Laws. The CRB consistently meets more often than required by ordinance. At most meetings, the entire board is present. They have been complimentary, critical, inquisitive, and decisive. It was an honor and privilege to serve the community of Eugene this past year. In 2020, Eugene's system of civilian oversight continued to evolve and develop. We look forward to continuing our work and we are committed to improving our processes in service of the community.

We appreciate the support of the City Council, Mayor, the Office of the Police Auditor, the Eugene Police Department, and other community organizations over the past year. The members of the Board are proud to participate in a process that continues to evolve and allows the community to glimpse into the "whys" of police work, and officers present can hear comments from community members in a thoughtful, and we hope, helpful forum. We look forward to continued, thoughtful consideration of how we can improve community safety in Eugene and are committed to being ongoing partners in this effort.

Sincerely,

Carolyn Williams  
2020 Board Chair (Oct.- Present)

Lindsey Foltz  
2020 Board Chair (Jan.-Oct.)

## Civilian Review Board Members Serving in 2020

### Current Members:

**Bernadette Conover** is a life-long Oregonian. She graduated from Portland State University with a degree in Administration of Justice and holds a law degree from Willamette University College of Law. She has lived in Eugene since 1991.

**José Cortez** José has a PhD in (Latinx) cultural studies and is an assistant professor at the University of Oregon. He brings more than 10 years of experience working in civic institutions in positions of community outreach. As the child of a migrant farm worker, and having grown up in the Pacific Northwest, he has a demonstrated commitment to civic institutions.

**Lindsey Foltz** is a Eugene native, returned after living in Central Oregon and serving as a Peace Corps Volunteer in Bulgaria. She holds a M.A. from the University of Oregon in International Studies. She had spent 3 years as the Equity and Human Rights Analyst for the City of Eugene, before resigning to spend time with her two small boys and dedicate more time to volunteer endeavors that help to make our community safe, welcoming, and healthy, such as her community garden and serving on the Civilian Review Board.

**Michael Hames-García** has been a Eugene resident since 2005, but grew up in Oak Grove, Oregon. He earned his BA from Willamette University and his PhD from Cornell University. Michael is a professor in the Department of Indigenous, Race, and Ethnic Studies at the University of Oregon and proudly serves as an officer in his union local. His scholarship and teaching currently centers on criminal justice policy reform.

**Rick Roseta** has practiced as a trial lawyer in Eugene for over 40 years. Most of his practice has included the defense of physicians, nurses, hospitals, attorneys and other professionals in malpractice cases brought against them. Early in his career he handled matters involving State, County and City police conduct. He has tried over 400 civil jury trials to conclusion. He has served as a Circuit Court Judge Pro Tempore, primarily handling cases in Lane County Juvenile Court. He currently serves on the Board of Volunteers in Medicine, a non-profit provider of health care for uninsured, underinsured and underserved members of the Eugene-Springfield community. Rick obtained his BS and JD degrees from the University of Oregon. He is married to Shannon; is the proud father of two adult children; and is a proud grandfather of two.

**Carolyn Williams** is a lifelong Eugene resident - aside from her service as a Peace Corps Volunteer teaching English in Azerbaijan. She is an educator who received her BA in English from Oregon State University and her MAT from Pacific University. Her focus and passion as an educator is on cultural competency, as well as literature and history.

**William “Bill” Whalen** is Senior Vice President and Chief Credit Officer at Summit Bank. His career in banking began over 30 years ago when he graduated from California State University at Long Beach with a Bachelor’s degree in Accounting. He is well-versed in lending, credit administration and management through his work in both the corporate and local community bank settings. Bill has called Eugene his home since 2001. He graduated from the Pacific Coast Bankers School in 2010. Bill is very active in the Eugene

community and is a member of the Citizens Advisory Board. He is a board member of CASA of Lane County. Bill is also on the board of directors of Northwest Business Development Corporation (NWBDC), an SBA 504 lender. He is a member of the Eugene Chamber's Local Government Affairs Council and a part of Lane Transit District's Budget Committee. He is excited to join the City of Eugene's Citizen Review Board of the Police Auditor's Office.

### **Past Members (2020):**

**Awab Al-Rawe** was born and raised in Baghdad, Iraq. He left home as a refugee to Syria due to the war in 2003. Soon after, he moved to Oregon to earn his B.A. in International Studies and his M.S. in Conflict and Dispute Resolution. He has experience working with the University of Oregon, Dept of Human Services as a case manager and policy analyst. He was also hired as the first non-citizen police officer in Oregon (Eugene) before joining the Oregon Health Authority as a program analyst- Ombudsperson. Awab loves to play football (soccer) and learn as many languages as possible.

**Susan Gallagher-Smith** was born and raised in Eugene and owns a small boutique tax practice. She's a Licensed Tax Consultant, Enrolled Agent and United States Tax Court Practitioner. She is a National Certified Guardian, a National Tax Practice Institute Fellow, and a member of the American Bar Association. Susan currently sits on the Oregon Board of Tax Practitioners and serves on the board of Alternative Work Concepts, a nationally recognized non-profit employment agency for persons who experience physical and multiple disabilities.



## **Mission Statement**

It is the mission of the Civilian Review Board to provide fair and impartial oversight and review of internal investigations conducted by the City of Eugene Police Department into allegations of police misconduct, use of force and other matters that have an impact on the community. The Board will strive to build trust and confidence within the community and to ensure that complaints are handled fairly, thoroughly and adjudicated reasonably. The Board will encourage community involvement and transparency in order to promote the principles of community policing in the City of Eugene.

## **Ten-Year Overview of CRB Accomplishments**

In light of the community conversations being had around civilian oversight this year, we wanted to take the time to highlight and point out the advancements the Civilian Review Board have made in the past ten years. Giving a longer view of our work can show that incremental changes have taken place and that these small steps allowed for impactful changes in policing in Eugene.

In 2010 we reviewed cases involving the use of a canine in tracking and apprehending a suspect (September) and Pursuit Intervention Technique (PIT) maneuvers to end high speed chases (December). In each of these cases, it was determined that our liaison to the Police Commission should ask the Commission to undertake a review of the policies. Not only did the Police Commission review the policies, but the Chief moved forward with a change in the policy curtailing the use of both canine and PIT maneuvers prior to even having the Police Commission review these policies.

Also in 2010, the CRB recommended that there be CRB input into the decision to designate a case for review as a community impact case (a decision previously solely at the discretion of the Auditor's Office), attempt more public outreach, allowing complainants to ask the CRB to review their complaint, and requiring that complainants be told of their ability to make comment to the CRB (either in writing or during a meeting) during the closing process of their complaint. In 2011 we saw all of these changes implemented and the CRB reviewed their first case requested by a complainant in October of that year.

Despite noting that the ordinance required that CRB members meet at least four times a year, we met a total of 12 times in 2012 and have continued to meet nearly the same number of times each year. When the CRB noticed the poor quality of in-car video systems, EPD undertook to source, order, and install better cameras. This was also the first of many times the CRB noted two things that continue to be of concern to the Board: need for de-escalation training and implementation, and officers turning off audio when cameras were in use.

CRB members have always valued the use of body-worn video and having civilian people such as the Auditor's office staff and CRB members who can review footage. Though limited by Oregon Public Records Law, members have often voiced their desire for these recording to be more widely available, particularly when these incidents are of high public interest, such as uses of force and officer-involved shootings. The CRB has also pushed for the different methods of tracking Taser use. Previous tracking only included the actual use of the Taser, as opposed to also documenting the display and verbal

warning of the use of a Taser. Though EPD stopped tracking display and verbal warnings, they have announced that in the coming months, they will once again start tracking these methods, which often result in compliance.

Additionally, the CRB has had a direct line of contact with EPD staff tasked with implementing the STOPs program locally. The STOP program stems from the 2017 Oregon Legislative Session, where HB 2355 was enacted and signed into law. This bill requires all Oregon law enforcement agencies to collect specific data related to officer-initiated traffic and pedestrian stops. EPD staff regularly reports to the CRB, which provides opportunity for discussion and explanation of patterns and practices which can influence changes in EPD policy that can be brought forward by the CRB liaison to the Police Commission.

Some years there was nothing exceptional that happened, but that should not be interpreted to mean there was no value in the work of the CRB. We saw the work done by Internal Affairs was continuing to be of top quality, internal reporting between officers was increasing (indicating confidence in the oversight system) and we saw successes that came about as Crisis Intervention Training (CIT) expanded to all employees in the department. As mentioned by a former CRB member, we did not expect police officers in Eugene to be perfect, but we did expect that if they messed up, it would be acknowledged and addressed. The Eugene Police Employees Association (EPEA) was initially supportive of an oversight model and police auditor because they felt officers were being disciplined for things less severe than what supervising officers were getting away with, which they felt was unfair. While we do not expect perfection from officers, by acknowledging mistakes, particularly in stressful circumstances, officers were held to a higher standard because they had the power of arrest and the power to cause severe physical harm if not death in extreme cases. There's also an expectation that if the department becomes aware of misbehavior, it would act in a clear, consistent and forceful fashion, up to and including suspension and dismissal. All of this is important and essential to maintaining and enhancing public trust in the EPD.

We are hopeful that this brief overview is beneficial in highlighting the important work the CRB has had a direct impact in during these past ten years, and that it can be of benefit as future discussions and decisions are made related to civilian oversight in our community.

## **2020 Overview**

The CRB is required to meet four times a year. The CRB met ten times in 2020, all public meetings.

The Board (with the help of the Office of the Police Auditor) identified policy concerns and communicated such to the Police Commission and the Eugene Police Department. In 2020 our representative to the Police Commission, Vice Chair Lindsey Foltz, worked vigorously in providing policy recommendations to the Police Commission. Dr. Michael Hames-Garcia was our representative to the Human Rights Commission, providing valuable insight to the CRB on some of the concerns expressed by the Human Rights Commission related to policing issues.

## **Trainings**

CRB members were polled to determine what training they wished to receive in 2020. The CRB was involved in six training sessions, as depicted below:

- Demographics of Officer-Initiated Police Contacts
- Training for New EPD Officers
- Special Investigations Unit/ Human Trafficking
- Reports from subcommittees on Meeting Process and Bylaws and Discussion about CRB procedures
- Case Study/Training Topic on Classification and Investigation of an Incident
- Review Arising out of Vehicle Collision at a Protest

## **Case Review Summaries**

In preparing for a case review, Board members have complete access to the Internal Affairs investigative file. These materials include call logs, correspondence, body-worn camera video, in-car videos and digitally recorded interviews of complainants, officers, witnesses and others with potentially relevant information.

Board members review file materials, the fact-finding report prepared by the Internal Affairs investigating officer, along with the Adjudication recommendations of the Auditor, the Supervisors and the Chief of Police. During our reviews, the IA investigator is available to answer questions about the complaint investigation. The Internal Affairs Supervisor (now a civilian position at EPD) is also available to answer questions regarding department practices, policies and procedures.

The Board follows a case review process delineated in its Policies and Procedures Manual. The Board reviews each case by evaluating and commenting on the complaint handling through the following steps:

1. Auditor's case presentation;
2. Complaint intake and classification;
3. Complaint investigation and monitoring;
4. Relevant department policies and procedures;
5. Policy and/or training considerations;
6. Adjudication recommendations;
7. Additional comments/concerns.

After the August CRB meeting, members opted to change the manner of case review to include the four broader categories below:

1. Board Overview
2. Complaint Intake, Classification, and Monitoring
3. Relevant Department Policies, Practices, and Policy/Training Considerations
4. Adjudication Recommendations

Additionally, the Auditor's office and CRB designated the events of the May 29-31 protests as a Community Impact Case after receiving a lot of community interest and comments from various perspectives. A Community Impact Case differs from a standard

case review in that CRB members can review the investigative file and decide if they concur with the Chief's preliminary adjudication. CRB members are also able to provide recommendations on the handling of the complaint and investigation process, as well as policy and/or procedural issues. Lastly, the CRB can choose to have an incident re-opened if 1) the investigation was incomplete or inadequate and additional investigation is "likely to reveal facts that could change the case adjudication" or 2) the adjudication is not supported by substantial evidence.

## 1. Civilian Review Board Case Summaries 2020

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### JANUARY CASE REVIEW:

#### **Allegation of Officer Retaliation Following Police Interaction**

##### **Summary of Facts**

- Officer A contacted a person who appeared to be violating the smoking ban downtown. During the contact, a friend of the stopped person approached, filming the contact. The friend ultimately became the Reporting Party.
- RP identified his place of work and objected to EPD stopping his friend. RP shouted to others passing by about the stop and about his beliefs related to smoking downtown.
- Following the contact, Officer A contacted the owner of RP's place of work. Officer A and the owner both stated that they have worked to build a positive working relationship, as the business owner has frequent contact with EPD.
- Officer A informed the owner about the police contact and stated that they were not looking to get RP fired. The owner stated that there were other personnel issues ongoing, and that it seemed like an obvious response.
- RP later came to the Auditor's Office to complain that Officer A had retaliated against the RP, resulting in loss of employment.
- Auditor Gissiner informed everyone that training encouraged officers to speak to businesses when an incident occurred, specifically in the downtown area.

##### **Allegations**

<b>103.5.5.2 Retaliation in the Community</b>	That Officer A retaliated against RP by contacting their employer and advising the employer that RP threatened officers who had contacted and detained RP's friend. RP alleged they were fired as a direct result of Officer A providing false information to the employer.
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##### **Recommended Adjudications**

<b>Retaliation in the Community</b>	
EPD Chain of Command	Unfounded
Police Auditor's Office	Not Sustained
Chief of Police	Unfounded

##### **CRB Comments and Discussion:**

###### **1. Complaint Intake and Classification**

- Williams stated that she had high school connections to an officer and a witness, but she did not feel like she would be biased.
- Roseta could not find anything in the policy that covered the case, but he felt that retaliation was the closest. Even with that, he felt that the policy was very general and hard to pin down. He also stated that there were many lines of communication (officer to owner, owner to manager, manager to employee) and felt that something was lost in the mix when talking.
- Foltz thought it was odd that two different officers in their interviews said that the owner of the business did not want to jeopardize officer relations and was concerned

about their apparent fear that police services would be withheld from them. She also pointed out that the case came in in September and the case was closed in December, which was quick.

- Gallagher-Smith noted that if the average person heard the introduction of the complaint then they would be worried and was glad they were taking time to look at it.
- Al-Rawe believed that even though the individual was loud and rude, they were within their rights and no violation was made.
- Conover stated that they were looking at the case not because of what happened on the street, but because of what happened afterwards. She thought if anything it was a poor judgment call on the officer to contact the owner, but since Mr. Gissiner said that was protocol it negated that.

## **2. Complaint Investigation and Monitoring**

- Williams appreciated the depth of the investigation but thought there were some holes. She asked why Sergeant C was not contacted for an interview and wondered what else they could have learned through that conversation. Mr. Berreth voiced that it did not seem relevant to interview them and Mr. Gissiner added that body cam showed they were on their phone and not alarmed with what was happening. Mr. Gissiner thought that said enough about how threatened the officers felt. Williams emphasized that that was exactly her point, and that she would have liked to know Sergeant C's take on calling the business owner.
- Foltz said that the investigation was very detailed and well organized.
- Hames-Garcia stated that the investigation was very thorough and that he felt the owner and manager interviews added a lot. The exclusion of Sergeant C's interview did not bother him.
- Conover brought up that Sergeant C's time on the force might explain why they were unaffected by the scene going on around them.
- Roseta found it helpful that the investigation did not stray into the initial interaction.

## **3. Relevant Department Policies and Practices**

- **103.5.5.2 Retaliation in the Community**
- Gallagher-Smith thought that someone needed to review the retaliation policy further. She noted that it did not mention officer intent (knowing that the RP would be fired).
- Al-Rawe inquired into if there was a policy regarding contacting employers. Gissiner responded that there was none, but that the downtown area had some expectations.
- Conover said that Gissiner had talked about searching for a policy that fit the case and wanted to know more about that process. Gissiner explained that he looked into retaliation and thought about what contacting the owner would be under. She understood contacting business owners, but she felt that the owner could have articulated things more clearly to the manager or employee to avoid all the misunderstanding.
- Foltz was curious about the reason that the call was originally made.

## **4. Policy and/or Training Considerations**

- Gallagher-Smith wanted to compliment the covering officers who made it clear to the public what was happening. They also communicated well about where they would touch someone, and they adjusted the handcuffs when they noticed they were tight.
- Williams said that Officer B helped deescalate the situation. She did think there was a lot left to personal interpretation and noted some inconsistencies with Officer A's and Officer B's interviews (saying the person was screaming versus talking loudly). She thought that in general Officer A's report seemed hyperbolic. Gissiner gave the example that the word disorderly is used a lot, which could mean many different things.

- Foltz agreed with Gallagher-Smith about how Officer B did a good job being aware of the other person's comfort levels.
  - Hames-Garcia agreed with Williams that Officer A's report was hyperbolic.
5. **Adjudication Recommendations**
- Al-Rowe agreed with the adjudication, but he believed that the call was maybe unnecessary.
  - Conover thought that the case was unfounded.
  - Roseta said it was not sustained. He understood that the call was made, but he felt they could not prove it went against policy. Williams agreed that the case was not sustained. She felt that something happened, but she did not know what policy it went against. Foltz concurred with not sustained and said that she thought about unfounded. Hames-Garcia was unsure on what founded versus unfounded meant, and he felt that the case was not sustained. Gallagher-Smith agreed with not sustained.
  - Conover wanted to take a minute to explain her reasoning for saying unfounded. She agreed that the person made the complaint, but that based off the conversation with the manager thought that the issue was within the business and not with the police.
6. **Additional Comments/Concerns**
- Foltz stated again that she was uncomfortable with the repeated comments about business owners not wanting to jeopardize their relationship with the police. She was also interested in looking more at the smoking ban, since she believed that it led to more of these types of interactions. She wanted to know how many citations had been given so far, and if they ever ended in arrests.
  - Hames-Garcia thought that the case was an excellent example of the smoking ban issue. He was glad that they looked at this case, since retaliation complaints were so rare.
  - Gallagher-Smith stated that these issues would continue since the imbalance of power between citizens and police would always be a problem.
  - Al-Rowe noted that the reporting person was described as having a threatening appearance. He emphasized that they should not use appearance in determining if someone was a threat.

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## **FEBRUARY CASE REVIEW:**

### **Allegation of Improper Seizure of Phone from a Vehicle**

#### **Summary of Facts**

- A call came in to dispatch from a person who had used "Find my iPhone" to locate their missing/stolen phone. The call included a location of the phone.
- Recruit Officer A was dispatched to the location, along with their training officer (Officer B) and cover officer (Officer C). Officer A spoke with the owner of the phone, who thought it had been lost or stolen earlier in the evening. The phone owner stated that he had called the phone several times without an answer, and that he wanted to criminally prosecute the person who stole it.
- The officer approached the property and used a tracking application on the phone to find the phone in an unoccupied vehicle on the property. At Officer B's direction, Officer A opened the door of the vehicle, opened the glove box, and seized the phone.
- The officers then looked around at different unoccupied vehicles on the property, until residents of the property came out of the house and spoke with them. The residents



explained that they had found the phone earlier in the evening and had made repeated attempts to contact people associated with the phone to get it back to its owner.

- The officers determined that no crime had occurred, so they left the property and returned the phone to its owner.
- The residents of the property called the Auditor's Office to complain about the incident. They found the phone and made several attempts to get it back to its owner. They were at home, relaxing in their hot tub, when they saw three people peering into the structures and vehicles on their property, and they had no idea that the people were police.
- RPs were concerned about the manner in which the officers approached the house, the fact that they had taken the phone out of the vehicle without asking for permission, and that the situation could have easily gone very poorly.

## Allegations

<b>322 Search and Seizure</b>	That Officer A violated policy when they retrieved property from a vehicle without consent, a warrant, or a warrant exception.
<b>322 Search and Seizure</b>	That Officer B violated policy when, acting as a Field Training Officer, they advised a recruit officer to retrieve property from a vehicle without consent, a warrant, or a warrant exception. * During the adjudication process, this allegation changed to Unsatisfactory Performance.
<b>322 Search and Seizure</b>	That Officer C violated policy when they failed to prevent Officer A from retrieving property from a vehicle without consent, a warrant, or a warrant exception * During the adjudication process, this allegation was changed to Unsatisfactory Performance.

## Recommended Adjudications

<b>Search and Seizure – Officer A</b>	
EPD immediate supervisor	Insufficient Evidence
EPD next level supervisor	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

<b>Search and Seizure – Officer B</b>	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	*Changed to Unsatisfactory Performance - Sustained

<b>Search and Seizure – Officer C</b>	
EPD Chain of Command	Insufficient Evidence
Police Auditor's Office	Insufficient Evidence
Chief of Police	*Changed to Unsatisfactory Performance - Sustained

## **CRB Comments and Discussion:**

### **1. Complaint Intake and Classification**

- All board members stated they did not have a connection to any involved person or employee such that it would influence their judgment.
- Conover appreciated the review of Officer B and C's allegations during the investigation. Hames-Garcia and Roseta agreed. Roseta added that it was reasonable to have them originally under search and seizure, but when looking at the case, Officer B and C were different.
- Williams thought that the change in allegation was the right approach, but she was still unsure if Officer B should have been changed. She thought that instead of changing the allegation, Unsatisfactory Performance should have just been added. Officer B was Officer A's FTO and they were in the second phase of field training, so the responsibility was split fifty-fifty. Foltz agreed with her. Officer B saying yes to opening the car changed events. Hames-Garcia added that in the video, the way Officer B encouraged Officer A to open the car seemed very enthusiastic. He noted that it would be hard for a recruit to say no to their FTO. Williams added that Officer C stated in the video that they did not believe probable cause existed to search the vehicle.
- Roseta believed that the way that the Chief analyzed the allegations made sense to him, since only Officer A searched and seized. He mentioned that the other officers deserved Unsatisfactory Performance because they did not open the car, but did nothing to stop Officer A.
- Williams asked if FTOs were held accountable in these situations. Lt. San Miguel informed her that that officer would no longer be receiving recruits. She reassured the board that they looked at these cases and even used these cases when training FTOs.

### **2. Complaint Investigation and Monitoring**

- Gallagher-Smith, Hames-Garcia, and Roseta all said that the investigation was very thorough and excellent. Williams liked how everything was organized. Foltz thought that the notations for the body camera that were included were nice, since she could tell when there was not supposed to be sound.
- Conover thought that including a map would have been helpful when figuring out where the street and houses were located. Maps did not have to be included in all cases, but it would have been helpful in this investigation. Foltz mentioned that during the investigation a map was consulted, and if that happened then, it made sense for the CRB to see one too.

### **3. Relevant Department Policies and Practices**

- Hames-Garcia was unsure of why Officer A's body camera was muted at some points while Officer B and C's were still on. He wanted to know if there was a policy on announcing police presence on private property. While the officers were in the neighborhood they used hushed voices and did not talk to residents until confronted. Sgt. Berreth told him that officers were usually quiet because they might not want people to know they were there. It depended case by case and he was unsure why it was done in this situation. Hames-Garcia also thought it was strange that Officer C did nothing after their comment was disregarded. They had instinct to know that opening the car would not be a legal action, but they did nothing to actually stop it. Sgt. Berreth stated that cover officers did not generally dictate procedure and that Officer C did not believe they had all the details.

- Williams said that since it was not a stressful situation, there was time for Officer C to say something else. She believed that more time should have been taken in making the right call, since Officer A was still in training.
  - Foltz thought that since Officer C was the most experienced officer then they should have been listened to. With that being said, she understood that they came in halfway through the situation and were just there to provide cover for the other officers. She also disliked that Officer A's body camera was muted specifically because they were still being trained. The other two officers did not mute, and through the conversation heard on their cameras, there did not seem to be a reason for muting.
  - Hames-Garcia thought that no one seemed worried about their safety and had casual conversation throughout the whole incident. Through that it seemed like no split decisions needed to be made, and more time could have been taken.
4. **Policy and/or Training Considerations**
- Foltz recognized that there were many new officers and they almost outnumbered the veteran officers at EPD. Training was crucial to forming the force and picking the right FTO was critical. She was glad that they had a training topic on new officer trainings, which answered a lot of her questions.
  - Gallagher-Smith wondered how EPD culture was influenced by the complaints they received at the Auditor's Office. Deputy Auditor Pitcher mentioned that this case was picked to be brought in front of the board because it involved training, which is such an important time in the career of a police employee. She was grateful that the residents complained because otherwise a valuable learning opportunity could have been missed.
5. **Adjudication Recommendations**
- Williams agreed with the Chief and Auditor's Office: sustained for Officer A and B, and not enough evidence for Officer C. Foltz agreed with her and liked that they were told that there was a change in the adjudications. Conover and Gallagher-Smith agreed.
  - Hames-Garcia agreed with sustaining Officer A and B, but he disagreed with Officer C not having enough evidence for Unsatisfactory Performance.
  - Roseta thought that this incident could have easily been avoided if the officers had just approached the house and talked to the residents. He believed that there was no exigency for them to get into the vehicle. Roseta agreed with Officer A and B being sustained and there not being enough evidence for Officer C. He noted that since Officer C was cover, their role was just to protect and therefore did not perform against their role.
6. **Additional Comments/Concerns**
- Williams thought it seemed weird that the officers used 'Find my iPhone' instead of talking to residents. Lt. San Miguel informed her that it was not an uncommon practice.
  - Foltz liked that the complaining party was sent letters on when the CRB would be talking about the case. Additionally, she reminded everyone to work on using gender neutral pronouns.
  - Roseta emphasized that if the officers had found something illegal in the car when they broke in, the evidence would not have been allowable in an ensuing criminal trial.

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## **MARCH CASE REVIEW:**

### **Allegation of Improper Response to Child Abuse Call**

#### **Summary of Facts**

- Officer A was dispatched to a report of a young teenager who had broken a window of her house and was in a verbal dispute with her mother.
- Officer A contacted the juvenile outside of the home. The juvenile stated that her mom had been physical with her (for example, hitting her and slamming her against the wall). She also stated that she wanted to go to Station 7, and that she had wanted to go there before anything had happened at home.
- Officer A then talked to the parents. Officer A did not ask about any physical contact between the parents and the juvenile.
- The mother made a statement to Officer A that she suspected the juvenile may be pregnant as a result of a sexual assault that occurred two weeks ago. Officer A did not ask about that incident.
- The mother requested that the juvenile be taken to Serbu on criminal mischief charges (for breaking the window). Officer A responded that Serbu would not take the juvenile and would just send her back home.
- The mother indicated that she did not want the juvenile to go the Station 7 because she was involved in a sexual relationship with an older juvenile who was staying there.
- Officer A did not ask about the sexual relationship (which, if true, would meet the definition of statutory rape).
- CAHOOTS arrived on scene, and one of the CAHOOTS employees retrieved clothing from the juvenile's home. The employee informed Officer A that the mother believed the juvenile was being taken to Serbu. Officer A arranged for CAHOOTS to take her to Station 7.
- Officer A told the juvenile that the report would be forwarded to DHS so that they could look into her allegations.
- Officer A reported the incident as a "Criminal Mischief" and did not indicate in the report where the juvenile was taken or that her mother objected to her going there.
- The complaint was internally reported by an EPD supervisor.
- Officer A stated in their administrative interview that they did not believe they had violated any EPD policies.

#### **Allegations**

<b>330.3 Child Abuse Reporting</b>	That Officer A failed to report as required by statute, investigate, or document in a report that the mother of the juvenile reported that she had been sexually assaulted, and/or that she had had a sexual relationship with someone four years older (which would violate Oregon law).
<b>103.4.3 Integrity</b>	That Officer A arranged for the juvenile to be taken by CAHOOTS to Station 7 even though the juvenile's mother objected and wanted her transported to Serbu; that Officer A knowingly left the mother with the impression that the juvenile would be taken to Serbu.

<b>103.4 Judgment</b>	That Officer A failed to report, investigate, or document in a report that the mother of the juvenile stated that the juvenile had been sexually assaulted, or that the mother had stated that the juvenile had had a sexual relationship with someone four years older.
<b>103.5.22 Report and Evidence Submission</b>	That Officer A's report omitted relevant facts, for example: <ul style="list-style-type: none"> <li>· That the mother stated her daughter was possibly pregnant from a sexual assault</li> <li>· That the mother stated her daughter was in a sexual relationship with someone four years older</li> <li>· The disposition or location of the juvenile at the end of the contact</li> <li>· That the juvenile was transported by CAHOOTS to Station 7 despite her mother's Objections</li> </ul>
<b>103.5.14 Unsatisfactory Performance</b>	That Officer A failed to perform the required tasks of their rank and position by not investigating allegations made by the juvenile that her mother had physically assaulted her.

## Recommended Adjudications

### Child Abuse Reporting

EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

### Integrity

EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

### Judgment

EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

### Report and Evidence Submission

EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

### Unsatisfactory Performance

EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

## **CRB Comments and Discussion:**

### **1. Complaint Intake and Classification**

- Conover noted that there were a bunch of holes in the officer's report. She said the report was done poorly but the intake was great. Roseta and Hames-Garcia agreed that the report was unfocused but that everything else was good.
- Al-Rawe asked if there was any allegation made against Officer B. Deputy Auditor Pitcher informed him that they had discussed it, but assumed that they thought Officer A had filled out the report correctly. Al-Rawe thought that the backup officer also wrote their own report. Sgt. Berreth told him that that was only done if the officer had other information. Al-Rawe was also concerned that neither officer reported the sexual abuse. Deputy Auditor Pitcher noted that Officer B believed that Officer A had reported it to DHS. Al-Rawe mentioned that Officer B heard about the sexual encounter from the juvenile, while Officer A heard it from the mom; this meant that they had different information.
- Foltz wanted to know how the case went to the Auditor's Office and how the supervisor heard about the incident and Deputy Auditor Pitcher responded that they were reviewing the body camera footage.

### **2. Complaint Investigation and Monitoring**

- Roseta said that the investigation was great, as always, and moved quickly.
- Al-Rawe noticed that in the investigation report it said that Officer A convinced CAHOOTS to go to SERBU, and he assumed that was a mistake and should say Station 7. Deputy Auditor Pitcher clarified that was correct.
- Foltz said that the report was thorough and well organized. Conover agreed and said that the investigation cleared up a lot about the incident.
- Hames-Garcia asked if they talked to either CAHOOTS employees. Sgt. Berreth told him that they interviewed one during the investigation but the other did not reply to their call. Foltz asked if CAHOOTS was under their jurisdiction and was informed that they were not.

### **3. Relevant Department Policies and Practices**

- Hames-Garcia was unclear on the integrity policy and thought it was a confusing situation. He sympathized with the officer because they were trying to get the juvenile where they thought was best. He thought it was an unfortunate ruling with no good option.
- Al-Rawe noted that Officer A stated in the interviews that the mother did not know where the juvenile was going, which crossed the line. Hames-Garcia mentioned that the mother made it clear they were going to abandon the juvenile. Al-Rawe said that Officer A knew the parent would be unaware and told them that Serbu would turn the juvenile away. Deputy Auditor Pitcher stated that Officer A was unclear on what Serbu was and Sgt. Berreth said that Serbu would never not let someone in and they would have kept the juvenile inside. They had made sure that all officers understood that. Foltz asked for them to receive more information on Serbu at a later date.
- Foltz appreciated that both officers got down on their knees to look the juvenile in the face. They both remained calm and used appropriate language.
- Conover felt that integrity was an appropriate policy for the situation. She said that Officer A put their agenda ahead of the parents and she felt that Serbu would have been a good choice for the juvenile since the workers were counselors and it was a safe place for them to decompress. Deputy Auditor Pitcher stated that the weight each person gave the mom's statement changed the situation. Hames-



Garcia noted that later in the footage, the mom was okay with the juvenile going to Station 7 after they went to Serbu, so it seemed like she did not really care.

- Roseta agreed with Foltz that the officers acted well with the situation they walked into. He said that the integrity policy concerned him and that it started off with a communication failure and evolved from there. Roseta believed it became an integrity issue when Officer A lied to the mom.

#### 4. **Policy and/or Training Considerations**

- Al-Rowe said that the only big issue was Officer A's report. He was also concerned that the officers did not check or ask the juvenile if they had any injuries, as he noted that CAHOOTS did. Officer B had asked the juvenile if they were hurt but did not document that information. Foltz asked if an officer knows CAHOOTS will show up if they would wait for someone of the same sex to check on someone. Sgt. Berreth replied that that was the generally followed rule if there was no emergency.
- Foltz asked what the standard protocol for a rape allegation was. Sgt. Berreth responded that an officer would be sent out to take a statement. Then, if possible, the victim would be examined for evidence, which would then be sent to violent crimes. Foltz inquired into if there was any difference between a juvenile and adult allegation and Sgt. Berreth replied that it depended on the age of the victim, but that it usually only changed the routing of the case.
- Hames-Garcia asked if the officer had the option to take the juvenile to a hospital and Sgt. Berreth told him that people could always be taken to a hospital. Al-Rowe thought it would have made sense to take the juvenile to the hospital and Deputy Auditor Pitcher noted that the juvenile would have had to consent to going. Hames-Garcia stated that the juvenile was not even asked if they wanted to go to the hospital.
- Conover liked how the officers talked to the juvenile. However, she was confused on if the child abuse or sexual assault was reported to DHS.
- Roseta was dissatisfied with the report Officer A gave. It was written in a stream of consciousness way, which was confusing. He asked if there was a manual that outlined how to write a report. Sgt. Berreth informed him that there was a manual that helped with formatting, but there was no rule on the narration format.

#### 5. **Adjudication Recommendations**

- All present CRB members agreed with the adjudication recommendations.

#### 6. **Additional Comments/Concerns**

- Conover said that there was a lot going on and it was a sad situation. She stated that there was no right way for things to have gone, just a better way. Foltz agreed and said she was disappointed by the follow-through for someone who was in distress.

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### **JUNE INCIDENT REVIEWS:**

#### **Pursuit Response, Taser Use, Treatment of Arrestee**

##### **Complaint #1**

- The Eugene Police Employees Association filed a complaint that while Station One dispatch was broadcasting a pursuit Springfield Police was involved in, Supervisor A "charged" into the Communications Center floor "shouting" about the need to monitor the pursuit, "pounded" on the glass door to the supervisor's office, and then stood next to Station One

and began calling the pursuit themselves. The complaint further alleged that Supervisor A's directions were unclear, and that they were condescending to the Communications Center employees.

- IA interviewed a Communications Center supervisor on scene, as well as the employee working Station One dispatch at the time.
- **Classification:** Incident Review

### **CRB Comments and Discussion:**

- Foltz asked for a review of the classification system. Deputy Auditor Pitcher said that the highest classification was an allegation of criminal conduct, then allegation of serious misconduct, then incident review, and then inquiry/policy complaint/service complaint. Auditor Gissiner added that inquiries had changed with the use of body-camera footage. There were restrictions on how long they had to look at the footage, but the classification could change after viewing, if needed.
- Conover said that this case originally seemed like a complaint of an individual at the call center. She thought there was a lack of communication that would not have happened if there were clearer guidelines. Originally, the person felt that having a supervisor there to make a call would be helpful, but that ended up making it worse. Conover felt that the issue was with the pursuit policy. She thought it would have been useful for the Board to know what the call center looked like in the investigation.
- Williams thought that cross-department communication was the main issue and there needed to be standard practices to follow.
- Roseta stated that it seemed like there was a personality issue behind the complaint. He was struck by the need for clarification over who was in charge, which was a policy issue.
- Hames-Garcia felt confused by the case and thought there might be missing information. He had been reading about overworked officers recently and wondered if maybe that could have played a part.
- Gallagher-Smith would support education into compliance and clarification on procedure.
- Foltz noted that this was an officer they had seen many times. This incident was confusing to follow but was an example of her annoyance with what happens when an officer received a complaint. She asked if this was a type of policy recommendation the Board wanted brought to the Police Commission. Conover disclosed that she used to socialize with this officer in the past and was aware of other complaints made against them. She was unsure how exactly this issue was handled with the officer's supervisor, so it might not need to go forward to the Police Commission. It seemed to her that it all depended on what officer walked in that day, and that most other officers would not have acted that way. Roseta felt unsure about the Board getting information on disciplinary action taken after a complaint as he felt that officers had a right to privacy.

### **Complaint #2**

- Officer A responded to a reported car break-in. The suspect ran when Officer A attempted to contact him, and after a short foot pursuit and a Taser warning, Officer A deployed their Taser. The suspect was not injured except for the Taser probe strikes. Following review of body-worn video, the Auditor opened an investigation into Officer A's use of the Taser.
- Investigation included written report, body-worn video, dispatch records, the use of force report, and a review of the incident by the Defensive Tactics supervisor. That supervisor determined that the use of the Taser was objectively reasonable under the circumstances, specifically citing the suspect's "active and physical resistance." However, the supervisor



was concerned that information relevant to the Officer's decision to use the Taser was not included in the report. The complaint was referred to Officer A's supervisor to address the inadequacies with their reporting.

- **Classification:** Originally classified as an allegation but reclassified to an Incident Review

### **CRB Comments and Discussion:**

- Auditor Gissiner clarified that the classification was changed because they needed to look at the body-camera footage and received more information on the case.
- Gallagher-Smith was concerned that the written report did not have enough detail. She was hopeful that the officers would receive further training and emphasized that the CRB was reliant on those reports being thorough and well written.
- Hames-Garcia agreed that the report needed to be written well. He was unsure if the officer needed retraining since it did not seem like something that needed to be taught twice. He believed that someone should be able to write a report before they could tase someone.
- Al-Rowe asked how long the officer was in service and Deputy Auditor Pitcher noted that based on the name, the person was relatively new. Al-Rowe asked if someone could talk about the policy when pursuing a person when they seemed to pose no threat. Sgt. Berreth replied that they could use force on someone who was running. He added that they could not use deadly force if someone was not posing a threat, but they could tase or pepper spray. Auditor Gissiner added that there were two physical altercations before the person ran away, which made it reasonable under the policy. Sgt. Berreth clarified that their policy did not allow someone to be tased just for running away. Roseta agreed that the policy was objective depending on the circumstances and that there needed to be a reason to tase someone beyond the person running.
- Williams wanted clarification on if the auditor's office got every use of force incident sent to them and Auditor Gissiner confirmed they did. He added that they usually went over every case and could open an investigation if they wanted. They received around two hundred use of force cases a year. She asked if this case was brought to them by Blue Team or a supervisor and Auditor Gissiner believed that it was brought to their attention by someone at EPD because of the report but could not exactly remember. Williams noted that there seemed to be six seconds between the tase warning and them being deployed. She asked if that was a normal amount of time to wait. Deputy Auditor Pitcher replied that she had seen a lot of use of force cases and thought that was a reasonable amount of time since the person had time to react.
- Foltz mentioned that the complaint was referred to the supervisor to address the inadequacies with the reporting, which was the only way it came to the Auditor's Office. She appreciated that they went to speak to the Defensive Tactics supervisor to get more information on general practice. She found it disturbing when reports were incomplete or not filled out well and she deemed this necessary for the justice system to function successfully.
- Conover said that it was interesting to see how things had changed with Blue Team being implemented and that she was happy to see it was working well and getting more cases reviewed. Auditor Gissiner shared that when he first started in Eugene, he was surprised about how much information was in reports. Hames-Garcia understood that there was a range of detail for reports, but he felt that if someone were tased, an officer should know that more information would be needed.

### **Complaint #3**

- RP contacted the Auditor's office and stated that the officers who arrested her left her purse on the roof of her car. She also stated that she had left voicemails for the arresting officer to report a theft and that someone was fraudulently using her debit card, but the officer had not returned her calls.
- Investigation included body-worn video, complaint intake, and the related police reports. The video showed that after RP was arrested, her personal property (including cash, a pocketknife, and necklace) were placed on the trunk of her vehicle. While one officer transported RP to jail, another officer placed RP's personal items in a black backpack and placed the backpack and a purse inside the trailer. The trailer was secured with RP's padlock. The investigation into the property was closed.
- The investigation was forwarded to the officer's supervisor, who coached the officer regarding the return of phone calls.
- **Classification:** Incident Review

### **CRB Comments and Discussion:**

- Gallagher-Smith found it concerning that there was a lot of silence at times in the tapes. She mentioned that in past cases EPD officers had worked hard to be respectful and de-escalate when necessary. While there were missing pieces, Gallagher-Smith hoped that de-escalation techniques had been used.
- Williams agreed that there should have been more de-escalation and believed it would have been good for CAHOOTS to be involved. She was concerned with how many voicemails were left for the officer and how they were not responded to until the person reached out to the Auditor's Office. Williams said that she liked when officers stated the reason they were muting their cameras. In this situation they did not voice that and the conversations happening did not seem tactical. Williams also wondered why the case was not escalated to more than Incident Review because she felt that a couple things went wrong. Auditor Gissiner replied that they had focused on the property issue. He believed that the Incident Review was a good classification. He thought there was usually not a reason to mute, but it was done to get around possible liability issues and noted that with all the protests going on the, Police Chief had told officers that they could not turn off their microphones.
- Roseta was concerned with the arrestee being in a bad mental state. He wondered if the officer should have done more to get that person to a hospital, however noted that the individual seemed calm when they arrived at the jail.
- Foltz agreed that the muting of the microphones was a concern, but that in all instances they had seen the body-cameras were being used correctly and could be relied on. Williams reiterated that she believed body-camera footage should be available to the public.

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### **JULY CASE REVIEW:**

#### **Allegation Related to Officer's Actions Following Assault at Hospital**

#### **Summary of Facts**

- Officer A was dispatched to a hospital related to an assault on a hospital employee.
- Officer A's body-worn video shows that the investigation established probable cause for an arrest. Officer A spoke with Supervisor D and agreed that the suspect should be cited in lieu of custody as the jail would not likely accept them. Officer A did not issue a citation before leaving the hospital.

- Two days later, Supervisor B was contacted by the hospital, wanting to know whether they should release the suspect or if they were going to be arrested for the assault.
- Supervisor B saw that a report number had been pulled but could not find a report related to the number. Supervisor B left a message for Officer A (who was on their days off) to call in.
- Supervisor B's shift then ended; Supervisor B notified Supervisor C of the situation and that they should be hearing from Officer A.
- Supervisor C later found Officer A at EPD headquarters, writing a related report. Officer A had not called the supervisors' line first.
- Supervisor C advised Officer A to go back to the hospital the next day (which was Officer A's next day of work) and issue the citation.
- Supervisor C also indicated to Officer A that their reasons for not writing the report promptly were not acceptable.
- When Officer A went to the hospital the next day, the suspect had been released due to ongoing assaultive behavior towards staff.

### Allegations

<b>103.5.4 Unsatisfactory Performance</b>	That Officer A violated policy when they failed to obtain supervisory approval to hold an assault report.
<b>103.5.17 Insubordination</b>	That Officer A violated policy when they failed to call the Watch Commander line as instructed by Supervisor B regarding the assault report.
<b>103.5.1 Truthfulness</b>	That Officer A violated policy by knowingly or willfully providing an untruthful, deceptive, and/or misleading answer to Supervisor B when asked about their contact with another Watch Commander related to the held assault report.

### Recommended Adjudications

<b>Unsatisfactory Performance</b>	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained
<b>Insubordination</b>	
EPD Chain of Command	Within Policy
Police Auditor's Office	Within Policy
Chief of Police	Within Policy
<b>Truthfulness</b>	
EPD Chain of Command	Unfounded
Police Auditor's Office	Insufficient Evidence
Chief of Police	Unfounded

### CRB Comments and Discussion:

#### 1. Board Overview

- Williams emphasized that muting a body camera for tactical purposes should always be signaled. It was unclear whether current EPD practice allows muting. She was glad that the officer talked about how not arresting the patient would mean their move to Oregon State Hospital would be expedited. They were upset that the officer did not follow through so that could happen. Williams stated that it was unacceptable that the patient was released, since hospital staff was worried that they might kill someone if released.
  - Conover shared that they had gone on a ride along with one of the supervisors and knew the complaining party but did not think this would cause any bias. They were concerned that the officer was a field training officer (FTO) and performed this poorly. Foltz agreed and was concerned that this officer had been picked for the job, especially since they have such a young police force. Conover asked if the truthfulness allegation was in relation to a specific phrase that was said or something else. Deputy Auditor Pitcher told them that when interviewing an officer, they must tell the officer what they will be asked. If the officer says something that might cause another allegation to be made, the interview is then stopped and rescheduled. They stated that with the truthfulness allegation they must be very specific. Conover said that there was a lack of attention to detail in the underlying police report. There were a couple different names used throughout the report that made it confusing to read.
  - Hames-Garcia thought that the officer made a lot of promises for what the process would look like after they were called. The lack of seriousness after leaving the scene and the officer saying that what happened was just harassment was a concern for them. All the hospital employees that saw the incident called it an assault and the victim said their pain was an eight out of ten. Since the victim was Black, Hames-Garcia wondered if the lack of concern was a product of Black pain being seen as less important.
  - Whalen wondered about the allegations that were picked. From video, they thought that the allegation would just be unsatisfactory performance. They found truthfulness hard to understand and wanted to know what that specifically referred to.
  - Foltz asked what the protocol for reviewing body camera footage was and if any supervisor could do it. Sgt. Berreth responded that all supervisors could do it unless it was high profile. Foltz said that the victim of the assault seemed to be indicating they thought it was targeting because they were Black. Other employees noted that the patient could have hit a wide range of people throughout the incident but only hit the victim. They asked if this case was flagged as a bias crime. Williams mentioned that it said it was a bias crime on the form.
2. **Complaint Intake, Classification and Monitoring**
- Williams mentioned that they always appreciated when someone internally reported something. They agreed with the classification and thought the investigation was thorough.
  - Conover appreciated the intake. The only concern they had with the investigation was with comments on conversation timing around the report. The officer commented something different and Conover wished they had seen more follow up on the outcome. They wondered if integrity could have been looked at.
  - Hames-Garcia noted that they had the time the officer entered the Police Department, but they only have a text from the officer's partner to gauge an exit time. Sgt. Berreth did not ask the officer what time they left as he did not find it

important at the time. They shared that the card reader was not always accurate since officers could be let in by a staff member.

- Foltz thought that the case being flagged internally was very important and built trust into the process. They asked if officers could use personal cell phones or if they were given a department phone. Sgt. Berreth replied that they have a department phone but there is nothing prohibiting officers from also having their personal one on them; If they were not lollygagging on their phone it was not an issue.

### **3. Relevant Department Policies, Practices, and Policy/Training Considerations**

- Williams stated that if an officer said they were going to do something then they should do it. Also, it made them question discipline and the FTO role in general.
- Roseta said that they needed to teach new recruits that reports had to be done right away and that this case could be used to show the importance of doing that. Conover agreed and said that there should be a policy around the process of writing a report and when they should be done. Sgt. Berreth responded that reports were usually done right away and rarely were held overnight, and even then, had to be approved by a supervisor. She asked if FTOs were trained or just appointed. Sgt. Berreth replied that FTOs were appointed and then did 40 hours of training.
- Hames-Garcia was surprised that there was no record of the phone calls made to the officer. The officer had said that they did not get the voicemail because they lived outside of the city. They thought that was an interesting thing to say and that there was currently talk around the country about how officers should live in the jurisdiction that they patrolled.
- Whalen thought that the unsatisfactory performance should also be an allegation in regard to the report. Deputy Auditor Pitcher agreed that that could have happened and noted that it did not come up during their investigation.
- Foltz agreed with all the FTO and reporting concerns that other Board members pointed out. She also thought that muting of the body camera microphones was a big issue. In this case, they were muted before the conversation with the community was done and because of that information was left out.
- Cortez mentioned that it was hard to talk about motives when they were guessing after the fact.
- Auditor Gissiner shared that they had been talking to the Police Chief about FTOs and refining the process.

### **4. Adjudication Recommendations**

- Williams agreed with the Auditor's Office adjudications. They said that truthfulness was an important part of policing. Officers needed to monitor and question situations when they were concerning. Roseta agreed.
- Conover would have thought truthfulness sustained, but otherwise agreed with the Auditor's Office. They did find the timeline of events hard to follow. Hames-Garcia agreed.
- Whalen struggled with the truthfulness allegation and went towards finding it unfounded. He agreed with the Auditor's Office on everything else.
- Foltz said that truthfulness was at least insufficient evidence and agreed with the Auditor's Office.

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## **AUGUST CASE REVIEW:**

### **Discussion of Board Processes**

#### **CRB Comments and Discussion:**

- **Discussion: Meeting Calendar 2020-2021**

- Foltz stated that they typically met the second Tuesday of every month. They met ten times a year, usually taking August and December off alongside City Council. They asked if anyone wanted to change their schedule.
- Roseta thought that they should have ten meetings that were focused on cases and then an additional one or two for trainings. They stated that having additional meetings for the community impact case was inevitable. Williams agreed and was open to doing more than ten cases a year.

**MOTION:** Whalen moved, seconded by Hames-Garcia, to meet twelve times a year. Cortez, Williams, Foltz, Hames-Garcia, Whalen, and Roseta voted in favor of the motion. Conover opposed. The motion **passed**.

- **Discussion: Apportionment of Meeting Time – Training and Case Review**

- Foltz said that they would be talking about when to do trainings and how many cases to review each meeting. Deputy Auditor Pitcher voiced that training topics were a part of an ordinance, so they had to do them. Foltz asked if they had to be done at every meeting. Pitcher replied that they just had to offer trainings to the CRB, it did not say anything more specific.
- Foltz mentioned that everyone had served on the Board at different times for different lengths, so they did not all have the same trainings. This made it hard to figure out what to train on. Williams noted that she had never been on a field trip training since she had joined the Board three years ago. Recently, most of their trainings had been from organizations and how they worked. They believed that having a meeting explaining how officers were trained every year would be a good training to repeat. Williams wanted to have more interactive/field trip trainings outside of their meetings. Hames-Garcia asked if they had had any trainings on Internal Affairs. Conover responded that they just had the training when BlueTeam was created.
- Foltz wanted an email to be sent out to everyone asking what they would to be trained on in the future. They said that it seemed like the Board wanted to devote meetings to two case reviews with extra trainings. Foltz stated that their September meeting would not have a training and they would go over two cases.

- **Discussion: Case Selection and Manner of Case Review**

- Foltz said that the Chair and Vice Chair met with the Auditor's staff monthly to help set the agendas. Each month they were given a list of closed cases to look over. Usually if there was a case someone was interested in, they either brought it up in the meeting or to the Chair or Vice Chair.
- Conover thought it would be helpful to add space after closing comments for members to bring up cases they were interested in. Williams clarified that 'interesting' cases were those that the Auditor's Office needed help with. Auditor Gissiner shared that they recommended cases so there was a



variety, but also covered cases that the Auditor's Office had difficulty deciding on or if there were adjudication differences.

- Foltz stated that they usually reviewed cases that had community interest because it created transparency. They said that an agenda item would be added for members to talk about future cases. Williams proposed they have that at the beginning of the meeting because sometimes the meetings go long and the end is rushed.
- Foltz liked that at their last meeting they had a general discussion about the case before getting into details. Hames-Garcia, Roseta, and Conover agreed.

- **Discussion: Election Timing**

- Foltz informed everyone that they would have to appoint their liaisons for the Police Commission and Human Rights Commission before their October meeting. Conover thought that that was too early to appoint people, since they got new members in July. They believed that picking Chair and Vice Chair early was fine but that they might want to put off liaisons until January. Hames-Garcia noted that doing it that way would leave them without liaisons for a few months if that person left the Board. Auditor Gissiner reminded everyone that members could serve three three-year terms on the Board, so that issue would not come up on a yearly basis.
- Whalen thought that many new members would not want to be a liaison. Hames-Garcia noted that when he joined, he applied to be the Human Rights liaison.

**MOTION:** Conover moved, seconded by Roseta, for the Board to appoint their Chair and Vice Chair in October and their Human Rights Commission and Police Commission liaisons in January. Foltz, Williams, Roseta, Whalen, Conover, and Cortez voted in favor of the motion. Hames-Garcia opposed. The motion **passed**.

- **Discussion: Recording of Meetings**

- Foltz wanted to talk about if they should continue to record their meetings after they were no longer required to. They believed it was helpful to record the meetings but wanted detailed minutes to still be provided. Williams agreed that they wanted to continue getting minutes.
- Whalen asked why meetings were not recorded in the past. Conover shared that the original issue was that they were worried they would name drop people in the cases. Auditor Gissiner said that if the Board decided, it could easily be changed.
- Williams saw recording as being transparent and stated that they thought audio was more important than video. Foltz noted that recording with Zoom was nice because the audio was better. Whalen mentioned that the Police Commission had both recordings and minutes provided.
- Williams stated that if they were going to be recorded, then they had to get better about using gender neutral pronouns.

**MOTION:** Williams moved, seconded by Roseta, for the CRB to continue recording meetings after they were no longer mandated. The motion **passed unanimously**.

- **Discussion: Corrective Action – Access to Information, Access to Process**

- Foltz understood that they might not finish this discussion but wanted to start it. They stated that the Board did not receive information on what disciplinary action was taken after their review. Foltz thought it would be

good to have as much transparency as possible. However, they understood it might be invasive to the officers involved.

- Roseta stated that they needed to think about the relationships between employers and employees and investigate their bargaining agreement and empowering doctrine. Deputy Auditor Pitcher noted that all three of those would be an issue for this topic. Auditor Gissiner mentioned that currently the only time they could review disciplinary action now was when they were looking at the trend report. They noted that the annual reports showed that the punishment that occurred most often was documented counseling.
- Whalen asked if this was something they really needed to know in order to do their job. Foltz said that Oregon had strict public record laws so providing transparency in this area would fit into their job of civilian oversight. They added that there were multiple ways that they could be more transparent.
- Auditor Gissiner noted that the State Legislature had just passed a law that a list must be provided publicly that had the names of all officers in the State that had their DPSST certification taken away. The list went back twenty years. The State was also trying to decide if they should publish all cases of Excessive Force.
- Cortez said that there also needed to be criteria for sentencing to be publicly visible.
- Deputy Auditor Pitcher stated that the Auditor's Office could not give punishments, so they did not get that information back. Since they were in contact with EPD, they usually knew the outcome of the investigations. She also shared that there was criteria for the Chief of Police when deciding punishments.
- Foltz wanted to come back to this conversation at another meeting but was glad to hear everyone's thoughts.
- **Action: Selection of Two CRB Members for Appointment to City Task Force on Policing**
  - Foltz shared that City Council had approved them to appoint two members to City Task Force on Policing. They had to send in their choices by September 1, 2020 so they would need to vote that night.
  - Deputy Auditor Pitcher said that those who said they were interested in joining were: Roseta, Foltz, Hames-Garcia, Conover, and Whalen. Gissiner noted that the position would be paid at the rate of \$15/hr. Pitcher said that everyone would get to vote for two people.
  - Whalen said he would step down from the voting, they were just worried that not enough people would want to do it.
  - Conover asked if they could have more information on the position besides that they would be meeting ten times between September and January. Auditor Gissiner told her that that was all the information they had. Williams inquired into if the meetings would be open to the public and he replied that they would be.
  - Williams asked if they could hear each person speak before voting.
  - Hames-Garcia said that they knew a lot about the topic and had good initiative. They reminded everyone that they had pressed about changes needing to be made to the CRB and they liked to think that was because



they were a new face. Hames-Garcia shared that he would also be on the University of Oregon Task Force for campus policing as well.

- Foltz wanted to see policy changes made across the organization. They had worked internally with the City and with the community, so they had experience. Foltz voiced that there was no bad choice in who they picked.
- Conover noted that everyone who wanted to join had different perspectives, which was good. They noted that only one youth group would be represented on the force and that she had worked with juveniles in their career and wanted to be an additional voice for them. Conover had also been in Eugene for a while and had seen the changes that EPD had already gone through.
- Roseta said that the department was willing to evolve and they just needed help. He had a lot of experience and was ready to use it.
- Pitcher put up a poll for everyone to vote for two people. Everyone voted and the two members chosen were Conover and Roseta.
- Hames-Garcia asked if they could revote, since he did not know that they could vote for themselves. Everyone agreed to do that. Pitcher reopened the poll, and everyone voted. The two members who would be joining the task force were Roseta and Foltz. Whalen recommended those individuals read Obama's report on Policing in the 21<sup>st</sup> Century.

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#### **SEPTEMBER CASE REVIEW:**

#### **Allegation of Excessive Force During an Arrest for Disorderly Conduct and Criminal Trespass, Allegation of Improper Taser Use During Arrest for Unauthorized Entry of a Motor Vehicle**

#### **Summary of Facts of Case Review #1: Allegation of Excessive Force During an Arrest for Disorderly Conduct and Criminal Trespass**

- Officer A and Officer B were dispatched to a service station concerning disorderly trespassing. The person was making a mess and yelling. The involved person then left the area.
- Officer A and Officer B made contact with the individual. Officer C was observing from a distance.
- Officer B indicated to the individual to get on the ground so they could be handcuffed. After voicing this, the individual resisted, and a struggle ensued.
- The individual grabbed Officer A's radio cord and Officer A and B reacted physically. Officer C then exited the car and fired the taser, which was marginally successful. Officer A and B contacted the individual with their hands and elbows before being able to handcuff them.

#### **Allegation**

<b>800 Use of Force</b>	Officer A's use of force was excessive during the arrest.
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#### **Recommended Adjudications**

<b>Use of Force</b>	
EPD Chain of Command	Within Policy
Police Auditor's Office	Within Policy

**CRB Comments and Discussion:****1. Board Overview**

- Foltz read aloud a written statement that Williams had provided. Williams appreciated that both cases they would be going over that night were being reviewed together. She wondered if CAHOOTS might have been of better use for this case since the individual clearly did not trust police. She agreed that what the officers had done was in policy but wished it could have been avoided. She also emphasized the importance of body cameras and how she wished the footage would be made available to the public.
- Roseta understood how CAHOOTS could have been better, but thought it was a hard call to make at the time of dispatch. He pointed out that the service station judged the situation as something that should end in an arrest and that he thought it was possible that CAHOOTS could have helped after the individual was restrained though they mainly dealt with mental health issues while this case seemed like the individual was intoxicated.
- Whalen agreed with Williams' statement about how body cameras should be on all officers. He pointed out that officers tried to restrain the individual in several ways before using force. Even when they made the blows, they did so in an apparently reasonable manner and waited to see if the hit had an effect before doing it again. Also, once the individual was handcuffed, the officers did not act happy but continued to do their job. He was disappointed to see that one of the officers appeared to kneel on the individual's back.
- Hames-Garcia noted that the Use of Force policy said that officers could take into effect intoxication. He was confused on how they could be interpreted and Sgt. Berreth told him that intoxicated individuals sometimes had a stronger resistance and could be more resilient in situations than if that person was sober. Auditor Gissiner added that medical reactions to tasing someone intoxicated should always be considered before initiating. Hames-Garcia also noted that the policy said "time and circumstance permitting" but did not see the individual as an immediate threat. He wondered why the officers were so quick to arrest the individual as he thought there could have been a different outcome had they taken more time.
- Conover thought it would be nice to know when CAHOOTS would work since it was hard to know when and if a situation was safe for them to go to. The person at the service station seemed to be out of control so it made sense to call the police. She was glad that adrenaline did not take over the officers and they were able to stay professional. She also stated that she appreciated seeing years of service listed during a case.
- Foltz stated that these videos were hard to watch and she agreed with Hames-Garcia in not understanding why the situation was hands-on so fast. She disclosed that she knew the person at the service station who made the call and that they were well-trained and had dealt with a lot of situations at the service station. They must have felt like staff and others were not safe if they made this call. Foltz appreciated that the Defensive Tactics Sergeant included a memo saying that they thought force could have been avoided if certain skills were used. She asked if deescalating was looked at with this case and Deputy Auditor Pitcher noted that

the individual had a knife in their pocket. Auditor Gissiner added that this was a tough case and that de-escalation allegations were all based on judgment calls. The individual had a weapon and was acting erratically which might have been why officers reacted quickly.

- Hames-Garcia said that the seriousness of the situation also plays into the need to apprehend. He noted that they do not arrest people unless they have committed a crime and this person had only trespassed. Auditor Gissiner emphasized that the allegations for this case were tough and that was one reason it was brought to CRB.
- Foltz thought that the body camera footage should be made public and she was disappointed that large portions of the video were muted, pointing out that generally when one person muted, everyone else did. She did not like that this seemed to be something that was taught, and she found it hard to see any tactical reason to mute their microphones for this case, since it would have been helpful to know what was said.

## **2. Complaint Intake, Investigation and Monitoring**

- Roseta wondered if there was ever any verification of drugs in the individual's system, stating that it probably was not important but thought that information should be available to them.
- Whalen thought the Defensive Tactics Sergeant's memo was helpful, as well as their recommendation on retraining the officers on group arrests.
- Conover said that one thing she really liked about Blue Team was that it recorded incidents like this as a matter of course. Sometimes they hear about cases through the media and it was always nice when it was reported internally. Foltz noted that the report they got said this case was internally reported and asked if that meant that it came to the Auditor through the chain of command. Auditor Gissiner mentioned that a lot of internal reports are from the Auditor's Office and that he believed that their attention was brought to the case through an online complaint.

## **3. Relevant Department Policies, Practices, and Policy/Training Considerations**

- Roseta recommended that the officer be retrained based on what the Defensive Tactics Sargent had said. Whalen agreed.
- Hames-Garcia stated that if the department was committed to de-escalation then they needed to focus on it, even in difficult situations.
- Cortez noted that the memo said that the officers should review the body camera video and he thought that was a weird way to word it. The review needed to be in-depth because the policy was failing everyone. He understood that this was not a simple situation, but if the end goal was de-escalation then they needed more training on it.
- Conover was glad to see they were recommended to be retrained. They hoped that other officers would be trained better because of this situation. Auditor Gissiner stated that video could not be used for training unless all officers involved consented and he did not think that was likely with this case. Conover said that when she served on the Board before, the "use of force continuum" was being phased out. Also, there were times when they would hear about when small steps could deescalate situations and she thought that should be done more often.
- Foltz thought that Officer C was not helpful in making the arrest go smoother. She was concerned with the selection of Field Training Officers (FTO) because the

CRB kept seeing them in cases. These were the people showing new officers how to act and that was concerning.

#### 4. Adjudication Recommendations

- All members of the CRB concurred with the adjudications made by the EPD chain of command, Auditor's Office, and Chief of Police.
- Cortez stated that they begrudgingly agreed and thought that there were issues with the policy. Hames-Garcia agreed and said that the situation was unnecessary.

### Summary of Facts for Case Review #2: Allegation of Improper Taser Use During Arrest for Unauthorized Entry of a Motor Vehicle

- There had been a report that someone was breaking into vehicles.
- Officer A saw someone who fit the description given and that individual fled. A foot pursuit ensued. The individual slipped on some ice and Officer A deployed their taser into their back.

#### Allegation

809 Improper Use of a Taser	That Officer A's deployment of a Taser during a foot pursuit was outside of policy.
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#### Recommended Adjudications

Improper Use of a Taser	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

#### CRB Comments and Discussion:

##### 1. Board Overview

- Foltz read Williams' comments on this case. Williams said that she agreed with the adjudication because the individual showed no immediate threat and she appreciated that the officer agreed that their actions were wrong during their interview.
- Conover noted that they had seen interfering with an officer being used as a basis for a charge and she wondered if this was a City ordinance or a State statute. Deputy Auditor Pitcher replied that it was a State statute and something they had talked about a lot recently. When someone failed to follow the lawful orders of an officer it could be interfering. Conover had an issue with someone running away having a taser used on them and she believed that in training they were taught to be aware of the individual's surroundings and where they would land. Conover appreciated that the officer looked back and acknowledged that they had done something wrong.
- Whalen thought that overall, the situation was unnecessary. It was important now for police to know when it was not necessary to pursue someone. He wondered if the officer tased the individual because the other officers running with them were saying they would use their taser in hopes that the individual might stop running. Whalen appreciated that after reading the policy the officer admitted fault.
- Hames-Garcia shared that this case was made easier since the officer admitted their fault. They pointed out that in the report the individual's name was not

redacted when it should have been. Hames-Garcia said that at one point the Sergeant said there was no policy violation, but the lieutenant thought it should be looked at again. They were glad that there was a system of checks and balances. Roseta noted that the officer said that in hindsight they had done wrong but questioned if hindsight should be used when they were determining adjudication. It was the actions that were important, not what someone thought after.

- Foltz appreciated that the taser policy was specific enough that there was not an argument about if it was violated or not because the individual was running. They noted that in one interview there was an objection due to timeliness after the case was not looked at for sixty days.
- Cortez noted that both this case and the first one dealt with petty crimes and how force should not be used in these instances. Whalen mentioned that it was a County Police Officer's car that was broken into. A uniform was stolen and possibly other things. Without any other information it was hard to say what outcomes there would be.
- Cortez was grateful for Roseta's comments about the totality of the circumstances. The policy was so specific to the circumstances. They asked what the criteria was for totality of the circumstances. Deputy Auditor Pitcher mentioned that it was mapped out in a case by the Supreme Court called *Graham v. Connor*. The case included specific factors for officers to look at, but for the most part "totality of the circumstances" encompassed everything that the officer knew at the time of the incident.

## **2. Complaint Intake, Investigation and Monitoring**

- Conover noted that the officer had been employed one year and was just off training. She asked if they had any previous experience before EPD. Sgt. Berreth replied that any prior experience would have been included in their internal report.

## **3. Relevant Department Policies, Practices, and Policy/Training Considerations**

- Hames-Garcia stated that training around these issues was very important and they had to trust that it was being done right.
- Conover asked how often officers were recertified for taser. Sgt. Berreth responded that it was done annually and had a written and practical portion to it.
- Foltz stated that shooting someone in the back with a taser for something they allegedly did was awful. The officer was not even sure that they had the right person, which made it so much worse. She was happy to see that the taser policy was thorough and clear. Roseta pointed out that this was a hard situation because the individual might have had a gun and gone off to shoot someone else. If the officer had let that happen and not tased the individual, they might be thinking the officer messed up. Foltz noted that there was no indication that a weapon had been stolen. She pointed out that the taser policy would hold up in that situation because there would have been probable cause.

## **4. Adjudication Recommendations**

- All members of the CRB agreed with the adjudications from EPD chain of command, the Auditor's Office, and the Chief of Police.
- Conover was glad to see that after the situation occurred the officer was aware that they had done something wrong.

- Roseta thought that the decision to warn about the taser use was made a lot earlier than when it was used. The decision to make a warning should be thought about more.
- Cortez mentioned that the taser policy said that if a verbal warning did not bring the individual into compliance then the use of the taser may be utilized. He asked if this fit the case they were looking at and if it was thought of in accordance with the totality of the circumstances. Deputy Auditor Pitcher said that when they read that part of the policy, they thought it meant that the taser could be used. Foltz appreciated that unholstering a taser could also be a reportable use of force.

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## **OCTOBER CASE REVIEW:**

### **Allegation of Excessive Force During an Arrest for Harassment, Allegation of Excessive Force During an Arrest for Assault**

#### **Summary of Facts for Case Review #1: Allegation of Excessive Force During an Arrest for Harassment**

- Officer B and C responded to a community member report of a disorderly person at or near an intersection.
- Call details indicated that the suspect had slapped the complainant in the head and was attempting to steal the complainant's property. The complainant stated that they wanted the suspect prosecuted.
- Both officers arrived at about the same time. On Officer C's ICV, the suspect can be seen pushing the complainant.
- Officer B contacted the suspect, who appeared to match the description as provided by the 911 caller.
- Officer B made initial contact with the suspect and told the suspect to sit down on a nearby bench. As viewed on body worn camera, the suspect failed to immediately comply, stating that they had a broken spine and that's why they changed their pants. The suspect also stated that they had done nothing. The officers ordered the suspect to stop resisting, that they were being detained and if they could not listen, would be placed in handcuffs. The suspect was never told they were under arrest.
- On video, it appears that by now Officer C is holding the suspect's hand behind their back in a handcuffing position while Officer B applies pressure to the suspect's right arm. The suspect verbally objected, stating: "Ow, you're breaking my damn arm." The suspect's arm appeared to be in an unnatural position with their hand near the back of their shoulder. As Officer B attempted to force the suspect to the ground, Officer B heard a loud "pop", and the suspect's upper arm appeared to break. The suspect yelled: "Ow, God, you broke my arm. Oh my God".
- Officer B and C placed the suspect into a prone position on the ground. Officer B continued to tell them to stop resisting as Officer B applied handcuffs. The suspect stated: "My bone's sticking out." Officer B asked another officer to call for Code 3 medics.
- The Defensive Tactics Supervisor (DTS) was asked to review the incident and provide findings. The DTS determined that the officers, and in particular Officer B, did not attempt to de-escalate the situation. Instead the DTS determined that Officer B sped up the situation and that the arm takedown by Officer B was not consistent with department training techniques. However, the DTS stated that after contact, the suspect tried to pull away, thus the force applied was within policy.



## Allegation

800 Use of Force	That Officer B's use of force during the arrest of the suspect was in violation of the Use of Force policy.
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## Recommended Adjudications

Use of Force	
EPD Chain of Command	Within Policy
Police Auditor's Office	Sustained
Chief of Police	Sustained

## CRB Comments and Discussion:

### 1. Board Overview

- Conover pointed out that a broken arm did not mean that a policy violation happened. When reading the investigation everything seemed like it happened very quick, and the video confirmed that. There was no attempt to de-escalate the situation. She stated that there were multiple officers at the scene, which made the outcome that much more unacceptable. There were obviously mental health issues and possibly drugs involved in the situation, but the person was communicating with the officers. Conover believed that there would have been a different outcome if the officer had taken their time.
- Cortez said that the use of force did not match the totality of the circumstances. The person did not pose a threat to the officers or the public. Also, the takedown was not in line with training techniques. They understood that sometimes officers had to act fast, but this was not one of those situations. Cortez agreed that there were cognitive issues present.
- Williams noted that the officer did not follow trainings on holds and de-escalation. It took 20 seconds from the officer getting out of the car to the person being on the ground.
- Roseta thought that the situation needed to be de-escalated and agreed that the person was no threat to the officers or public.
- Foltz agreed that the situation happened very fast. She tried to understand the possible risks the officer was seeing but could not understand. The person had their hands visible, the street was blocked off, there was no threat. Foltz had more of an issue with Officer B because they went hands on first. Officer A did as they were trained when an officer goes hands on and assisted. She agreed that there were mental issues present.

### 2. Complaint Intake, Investigation and Monitoring

- Conover did not like the comment from the investigator that the interaction was cordial. She would not have described the incident that way. It was pointed out to her that this was in the Sergeant's adjudication memo. Conover understood that this was not a part of the investigation then, but that wording rubbed her the wrong way. She appreciated the speed at which the case was processed.
- Cortez thought that there was not much information of the description of the scene in Officer A's supplemental report. He thought that the person involved was someone else that fell through the cracks. Cortez emphasized that de-escalation needed to become second nature to officers. Williams agreed that they needed it to become muscle memory if they wanted to see progress.

- Williams wondered why de-escalation was not an allegation for this case. Auditor Gissiner replied that it was within policy and did not want to pile too many allegations onto the case. They felt that use of force fit more with the situation. A broken arm was a big warning that there was a use of force violation. Auditor Gissiner was bothered when police piled charges onto people and did not want to turn around and do the same thing. Williams stated that de-escalation was an issue they saw a lot and they needed to point it out if they wanted to make officers understand the issue.
  - Roseta thought that the investigation was done well. He had also wondered about the allegations and did not think that the results of the case should dictate them. Roseta did not think a broken arm meant that there was an improper use of force, so that should not become the way to pick an allegation. Auditor Gissiner noted that the improper use of technique was an issue. Roseta stated that the proper technique could have resulted in a hurt arm as well.
  - Foltz thought that de-escalation should have been included so it could be addressed in the disciplinary phase.
  - Deputy Auditor Pitcher stated that the de-escalation policy says that officers “should” try and de-escalate. When policy said that officers “must” it was easier to bring an allegation against them since there was no loophole. Auditor Gissiner stated that there was no law saying officers had to de-escalate.
3. **Relevant Department Policies, Practices, and Policy/Training Considerations**
- Williams said there should be more training on de-escalation.
  - Roseta mentioned that cameras were muted for a long time on two of the officers even after the subject was in custody. There was no reason for microphones to be muted. He also thought there should be training on the appropriate type of holds.
  - Foltz brought up the video of one of the involved officers interviewing the subject at the hospital. She found the video troubling and did not understand its purpose. Roseta thought the same thing. He thought the subject might not have been able to follow what was happening. There was a needle present after medics showed up, so he wondered if the subject had been sedated. Roseta stated that if that were the case then any information found during that interview would have been written off in case because the person’s rights were not given to them while they were conscious. Foltz asked if it was in policy to interview someone who was in a medical situation. Sgt. Berreth told them that there was no policy against it. There were many people who were not sober when picked up, which made it tricky. If the person was aware enough to respond to questions, then they would read them their rights.
  - Foltz said that the case made her wonder about pain response versus resisting arrest. Sgt. Berreth told her that they left that difference up to the officer’s judgement. Foltz asked if the person was charged with resisting arrest. Williams informed her that they were. Deputy Auditor Pitcher was unsure if that charge was followed up at the prosecutor level.
  - Conover mentioned that the adjudication memo indicated that the suspect posed no threat “to the male officers”. She thought that it was not necessary to say ‘male’. The person was not a threat to anyone, no matter the gender.
4. **Adjudication Recommendations**
- All members of the CRB agreed with the adjudication from the Auditor’s Office and the Chief of Police.



- Williams noted that the Captain wrote that de-escalation was a good concept, and they could speculate about what could have happened if used, but they would never know. She felt that was a flippant comment.
- Foltz was concerned that the EPD chain of command thought the officers were within policy.

## Summary of Facts for Case Review #2: Allegation of Excessive Force During an Arrest for Assault

- Officer A, B, and C responded to a report of a dispute. After interviewing the alleged victim, the officer determined that probable cause existed to arrest the suspect, who was in an apartment that they and the alleged victim shared.
- The three officers went up to the apartment. Officer C followed Officer A down the hallway and entered the apartment. Officer A drew their Taser and carried it down at the side. Officer B told the suspect they were under arrest. The suspect replied: "Come arrest me, b\*\*\*h."
- Officer B and C each grabbed the suspect by the arms. The suspect immediately complained of pain as soon as Officer C took hold of his arm and attempted to move it. The suspect responded by pushing away and telling the officers twice to "stop."
- The suspect stood up and verbally resisted arrest and did not follow orders to place their hands behind their back. It was difficult to tell how much the suspect was physically resisting, as the movement of everyone was static.
- Officer A deployed the Taser, which was effective. The suspect was taken into custody without further incident.
- The Defensive Tactics Supervisor (DTS) was asked to review the incident and provide findings. The DTS determined that the use of the Taser was within policy.
- The DTS first explained the defiant behavior of the suspect. Then wrote: "I think the use of the Taser was quick and other options could have been implemented first, but I don't find the deployment out of policy."
- The DTS also stated that neither officer attempted a proper hold/lock for two officer handcuffing.
- The DTS also attempted to analyze the area of deployment but it was not entirely clear because pictures were not taken of where the probed stuck in the suspect's body.

## Allegation

<b>809 Taser Use</b>	That Officer A's use of the Taser during the arrest of the suspect was in violation of the Use of Taser policy.
<b>Policy Language</b>	<p>809.4.1(b) Authorized personnel may discharge the Taser only when the totality of the circumstances known to the individual officer at the time indicate that the application of the Taser is reasonable to subdue or control:</p> <ul style="list-style-type: none"> <li>• A person who, by their words or conduct, the officer reasonably believes creates an immediate credible threat of physical injury to the person himself or herself, the officer, or another person and who fails to comply with a policy order to stop his or her threatening behavior; or</li> </ul>

	<ul style="list-style-type: none"> <li>• A person who, by their words or conduct, the officer reasonably believes creates a credible threat of serious physical injury to the person himself or herself, the officer, or another person; or</li> <li>• A person assaulting, or attempting to assault, a public safety officer.</li> </ul>
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## Recommended Adjudications

Taser Use	
EPD Chain of Command	Within Policy
Police Auditor's Office	Sustained
Chief of Police	Sustained

## CRB Comments and Discussion:

### 1. Board Overview

- Roseta thought that the officer seemed eager to use their taser since they did not attempt to do anything else. He thought that Officer B and C seemed professional.
- Cortez felt that the case dealt with understanding credible threats. He did not think the suspect involved was a threat. There was no known weapons and the time between entering the apartment and deploying the taser was 23 seconds. Cortez thought that the taser seemed unnecessary and de-escalation should have been attempted.
- Conover said that the video was not what she was expecting. In the report it said that the suspect said "Come at me bitch" which seemed aggressive, but in the video, it did not come off that way. She noted that the officer who the allegation was against had been on the force for 12 years and was an FTO to someone hired in January. The other person involved had only been on the force for two years. The two newer officers went ahead of the more experienced officer, which might have played a factor in the outcome. Conover stated that it was not good for the new officers to be learning de-escalation from that person. There was more to de-escalation than just slowing down.
- Williams said that the officers needed to control themselves. The suspect was not an immediate threat and even asked for help during the process. From the time the officers entered the room and were hands on and the taser was being deployed it was only eight seconds. Williams noted that none of the officers had masks on in the persons home, which was an issue as well. Deputy Auditor Pitcher informed her that this took place before the Governor's order that came out on July 15, 2020. She agreed it was still concerning.
- Foltz stated that they could not expect different outcomes when they were training the same way.

### 2. Complaint Intake, Investigation and Monitoring

- Roseta, Foltz, and Williams said that the investigation was done well.
- Cortez highlighted the memo that said that use of taser could have been avoided. They needed to create new training to get new outcomes.
- Conover wondered why there were no allegations against the other two officers. Auditor Gissiner said that it was unwise for them to go into the apartment in a non-tactical way, but the focus on the case was on the arrest, not the tactics used.

### **3. Relevant Department Policies, Practices, and Policy/Training Considerations**

- The CRB felt that they had said everything they needed to already.

### **4. Adjudication Recommendations**

- All CRB members agreed with the adjudication from the Chief of Police and the Auditor's Office.
- Conover was concerned with the comment in the lieutenant's report about looking at the footage with the officers like a sports review. What the officers had done was not a game and the comment was inappropriate.

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## **NOVEMBER CASE REVIEW:**

### **Allegation of Failure to De-escalate During Call for Service, Case Study/Training Topic on Classification and Investigation of an Incident Review Arising out of Vehicle Collision at a Protest**

#### **Summary of Facts for Case Review #1: Allegation of Failure to De-escalate During Call for Service**

- Supervisor A responded to a scene where Reporting Party had called for CAHOOTS assistance when their adult child, during a schizophrenic episode, was holding a knife and telling their other parent to leave the house.
- RP requested a CAHOOTS response, but was informed by dispatch that, due to the weapon (knife), police would be sent. CAHOOTS responded as well and stood by.
- Officers responded to the scene, including Supervisor B and, later, Supervisor A. Supervisor B established probable cause for Menacing/APA.
  - Menacing: ORS 163.190: A person commits the crime of menacing if by word or conduct the person intentionally attempts to place another person in fear of imminent serious physical injury.
- Mandatory Arrest/Family Abuse Prevention Act:
  - ORS 133.055(2): when a peace officer responds to an incident of domestic disturbance and has probable cause to believe that an assault has occurred between family or household members, as defined in ORS 107.705, or to believe that one such person has placed the other in fear of imminent serious physical injury, the officer shall arrest and take into custody the alleged assailant or potential assailant.
- Supervisor B requested that the Crisis Negotiation Team (CNT) respond to the scene to help with talking to the suspect.
- CNT and officers established off and on communication with the suspect; they also obtained consent from the parents to enter the home. About an hour into the call, and about 30 minutes into verbally hailing, Supervisor B planned to toss a phone into the house to assist with talking to the suspect.
- A group including Supervisor B and Supervisor A approached the house to toss in the phone. Supervisor A could establish from the suspect's voice that they were in the front room. Supervisor A began speaking with the suspect as the group of officers entered the home.
- Officers approached the suspect, who was laying on a couch with a blanket. The person removed the blanket and stated they wanted to put their shoes on. As they sat up, officers put their hands on them, and a physical struggle began.

- Officers tried control holds and moved the suspect to the ground but continued to struggle. Officers used focused blows and a taser, but those did not appear to affect the suspect.
- Officers finally applied handcuffs. The suspect continued to kick and struggle, so officers applied a “Flexible Restraint Device” as well. Supervisor A called for medics to evaluate the suspect; medics cleared the suspect for transport to the jail.
- Following the incident, RP called dispatch again, upset about EPD’s response. RP ultimately filed the complaint with the Auditor’s Office. In separate interviews with both the Auditor’s Office and Internal Affairs, RP stated largely the same concerns: that EPD had responded instead of CAHOOTS, that force was used, and that their adult child was taken to jail instead of the hospital.

## Allegation

<b>820.3 De-escalation</b>	That Supervisor A failed to make reasonable efforts to de-escalate a confrontation to prevent the need to use force.
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## Recommended Adjudications

<b>De-escalation</b>	
EPD Chain of Command	Within Policy
Police Auditor’s Office	Within Policy
Chief of Police	Within Policy

## CRB Comments and Discussion:

### 1. Board Overview

- Conover thought it would be helpful to get a rundown of Crisis Assistance Helping Out On the Streets (CAHOOTS) and information on mandatory arrests. Sgt. Kyle Williams replied that mandatory arrests were primarily focused on domestic violence. In the past, victims were unwilling to press charges and this law was put in place so they had to make the arrests. If they had probable cause, then they had to go through with the arrest. They explained that CAHOOTS was made up of volunteers untrained in physical threats. A team for CAHOOTS was made up of a medic and a psychologist. Sgt. Williams stated that CAHOOTS was not allowed in dangerous situations and if there was a threat, then EPD had to be involved.
- Hames-Garcia taught mandatory arrests and found it to be a terrible practice. It had had destructive affects. He shared that three years ago, his father who had Parkinson's Disease and Dementia was having a violent outburst and the cops were called. Hames-Garcia said that the officers did a great job of de-escalating the situation and called medics. He emphasized that officers always had a choice. Hames-Garcia said that the psychiatrist at the scene said the individual needed to go to the hospital and that officers rushed them when the individual was putting his shoes on. He understood that officers were under pressure, but they escalated the situation when it was calming down. Hames-Garcia said that this was a prime example of why people fear calling 911. While cases cannot be viewed in hindsight, it was obvious that other options were available to the officers.
- Whalen shared that he knew some of the officers in the case, but he would be able to remain unbiased. He said that this type of call was one of the worst ones an officer could get. It was hard to figure out what to do in these situations.

Whalen asked if the lieutenant had crisis training. He was confused on why a pepper ball gun was brought into the situation. It was a huge gun that looked real and was pointed at the individual. Whalen thought the situation should have been slowed down and emphasized that they needed the right people in charge of these situations. Sgt. Williams responded that the lieutenant did not work in a crisis management role but that did not mean they had no related training.

- Cortez said that this was not the first case they saw where the officers were not being rational. He wondered if it was necessary for four crisis negotiators at the scene. When talking about de-escalation, they had to think about how all senses were being used. Sgt. Williams replied that the number of negotiators depended on the situation, but there were usually at least two.
- Foltz said that the individual needed to be in the hospital, not in jail. She felt that there needed to be a distinction between criminal and mental problems. It might be necessary to look at the mandatory arrest law and make changes. She was hopeful at the beginning of the video since the situation was progressing well. This made the officers rushing the individual more confusing.
- Williams shared that they knew some of the officers from childhood but could remain unbiased.

## **2. Complaint Intake, Investigation and Monitoring**

- Williams read out comments sent by Roseta. He wrote that the complaint was classified and investigated quickly, and he thought it was thorough and unbiased. Williams and Whalen agreed.
- Conover stated that the Auditor's Office was required to investigate the allegation that was brought to them and she was unsure if all the video was necessary since the only allegation was against de-escalation. She understood that it was important to see everything leading up to an event, but it would have helped to know when the incident in question occurred. Foltz loved getting all the video so she could see everything.
- Cortez wanted to know if the officers were aware that they were dealing with a mental health issue when they responded. Deputy Auditor Pitcher responded that they were told that information in the dispatch call. Cortez asked if a mandatory arrest was still necessary when the allegation of menacing was due to a mental health issue. Deputy Auditor Pitcher replied that it was still required. Cortez stated that the individual should have been brought to the hospital.

## **3. Relevant Department Policies, Practices, and Policy/Training Considerations**

- Williams read out Roseta's comments. He wrote that the policy on de-escalation was reasonable because it allowed for the consideration of circumstances of contact. Roseta mentioned that the actions should not be viewed in hindsight and they had to understand perfection was not possible. Officers were required to make an arrest, but they placed the individual in a situation where they could have been harmed.
- Conover liked that all the officers had to do crisis intervention training after the incident.
- Whalen noted that with the way the policy was written, the officers believed that this was an arrest that they had to make.
- Hames-Garcia understood that force was necessary in some situations. However, officers should not be escalating situations and only use force when it was needed.

- Foltz noted that the individual was passive at the time of the escalation which was hard to watch. She asked if applying handcuffs was use of force. Sgt. Williams replied that it was not a use of force in and of itself.
- Cortez wanted to know if medical attention for injuries sustained was looked at in this investigation. Deputy Auditor Pitcher told them that the Auditor's Office was concerned about the entire incident and Auditor Gissiner hoped that by calling out the supervisor and de-escalation policy everything could be looked at. Sgt. Williams shared that medics were called in this situation and they cleared the individual to be taken to the jail. Cortez emphasized that the issue was with treating mental health the same as physical help.

#### **4. Adjudication Recommendations**

- Williams stated that Roseta agreed with the adjudication of the case being within policy. Roseta thought that they did a good job looking at policy and not immediately siding with the family. He said that the victim showed that they could be violent.
- Conover agreed with the adjudication. She had done the citizen's policy academy when that was still around and learned how stressful situations like this can be. Officers had no way of knowing the outcome of situations and had to make sure that everyone involved was safe.
- Whalen agreed with the adjudication. He said that it was a hard case to look at but had to agree that it was within policy. He stated that a lot could have been done better in this situation.
- Hames-Garcia disagreed with the adjudication. It was a hard case to decide on but given that the suspect was not a threat and there were other options, he had to disagree. Foltz and Cortez also disagreed with the adjudication.
- Williams had a hard time with this case. She thought that the officers were within policy but also thought the situation could have been avoided. Williams believed that the amount of force used was not necessary.
- Deputy Auditor Pitcher stated that just because something was within policy did not mean they were happy with the outcome. It was their job to evaluate if the case went against policy. If the community disagreed and policy did not match their thoughts, then it might mean that policy needed to be changed.

#### **Case Study/Training Topic on Classification and Investigation of an Incident Review Arising out of Vehicle Collision at a Protest**

- Williams wanted to go over this because it was complicated. They received 74 complaints and the case ended with no adjudication.
- Deputy Auditor Pitcher summarized that during the Children's March there was a collision between a vehicle and a pedestrian, and protestors followed the driver. The Auditor received complaints that insufficient law enforcement action was taken at the scene and that the investigation done was not sufficient. This case was difficult for the office to figure out. A thorough investigation was conducted but they were unable to find an allegation. They stated that criminal charges were still ongoing.
- Conover stated that this case was interesting since so many people were there, but no one saw the incident take place. She appreciated the process and everything that went into the investigation.
- Whalen noted that the amount of complaints showed that people were upset with the system. He hoped that the CRB looking at the case would help the community understand the issues with the case.



- Hames-Garcia was unsure of what to say about this case. There was not as much information compared to cases that they usually saw. He stated that Grand Juries usually went along with the District Attorney which made it hard to build trust with the system.
- Williams thought that one of the issues with the case was that there was no video of the incident. The video they got for the case was just officers talking to the driver.
- Conover thought they had enough information to say that the officers did their job investigating the incident which the complaints came from. She stated that it was not their job to demand charges be made against someone.
- Williams stated that she wanted to make it so all the information the Board received was made available to the public.
- Cortez saw the Board as a bridge between EPD and the community. He stated that because of that they needed to speak for both sides.

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## **DECEMBER CASE REVIEW: Community Impact Case Discussion**

### **Overview of Community Impact Case and Process**

- Lots of community interest from varying perspectives, lots of force reports
- Incident Review to perform high-level look at weekend overall, with certain incidents extracted for further scrutiny.
- Resulting investigations:
  - Incident review offering overview of events of May 29, May 30, and May 31
  - Incident review/catch-all for complaints about Chief-level decisions (outside their jurisdiction)
  - Six allegation of misconduct investigations
  - Two incident reviews of specific incidents
  - Four inquiries
  - One service complaint
- Review of video from the weekend is still occurring
  - EPD has offered significant additional resources to ensure the investigations were thorough and timely.
- Community impact case: decision points
  - Concur with Preliminary Adjudication?
    - This refers to the Chief's preliminary adjudication
  - Recommendations
    - On handling of complaint and investigation process
    - Policy and/or procedural issues
  - Re-open
    - Investigation was incomplete or inadequate and additional investigation "is likely to reveal facts that could change the case adjudication" or
    - Adjudication was not supported by substantial evidence.
- Incident Reviews #1 – #4
  - Incident Review #1 and #2: Night of May 29
    - Community complaints of too much enforcement action.
    - Community complaints of too little enforcement action.
  - Incident Review #3: Nights of May 30-31

- Classified as incident reviews to identify potential involved employees and specific potential policy violations.
- Incident Review #4: Complaints outside jurisdiction
  - Auditor does not have jurisdiction over Chief (City Code).
  - Curfew complaints: dismissed (outside jurisdiction and alternate remedy).
- Decision points – general incident reviews
  - Recommendations
    - Complaint and investigative process – how these were organized, investigated, presented?
    - Policies/procedural issues?
  - Re-open/open
    - Investigation incomplete or inadequate?

### **Incident Reviews: Investigation into Overall Events of May 29-31**

- Conover stated that there was no way for the CRB to right any wrongs on either side of the conflict. She emphasized that some would feel that they backed EPD, others that they supported the protestors and that no one would walk away happy. Conover mentioned that they would be looking at 16 different incidents. The Auditor's Office and EPD brought 10 of those forward because they wanted officer actions investigated. She shared that the CRB had spent two weeks looking at the information they would talk about that night. Conover hoped that the community would listen to them and trust the Board members.
- Cortez wanted to save most of his comments for the individual allegations. He had been less interested in the cases of profanity being used. Cortez was interested in building community and questioning how they could include public institutions to help fix the problem going forward. He was unsure how they would have responded if in the officer's position. However, they did not think that property damage mattered more than human life.
- Foltz said that she did not condone the destruction of property and that people who did it should be held accountable but thought officers should stay away if intervening put lives at risk. She brought up the footage of an officer using a 40mm weapon. She had no specific inquiry into the allegation but was concerned with how it was used.
- Hames-Garcia had some concerns that ran through all the incidents. He thought there was an inconsistent definition of 'riot'. There were some officers saying that Eugene had a bunch of riots 20 years ago and others said that Eugene had never had riots. He also thought that there was inconsistent reasoning on why EPD wanted to prevent protestors from reaching the University of Oregon on May 31, 2020. Chief Skinner said in a memo that the University police did not have the resources necessary to deal with the situation. Elsewhere, a lieutenant said that they were worried that more people would join the protestors if they went through campus.
- Roseta echoed what Conover said about this discussion not appeasing anyone. There were many conflicting emotions surrounding these incidents. He noted that the officers were overwhelmed and might have made mistakes, but they learned throughout the weekend. Roseta thought it seemed like officers were given an assignment on what to do and to make arrests when they could.
- Whalen thought it was difficult to allow people to protest while also protecting public property. He stated that these events played out quickly and officers only had so much time to respond. Whalen said that it seemed like as the weekend went on officers responded better.



- Williams was struck by protestors yelling in footage about defunding the police and then hearing officers talk about how they were understaffed. Williams stated that sometimes to enact change, systems had to be disturbed.
- Auditor Gissiner said that Deputy Auditor Pitcher did a great job getting all this information together. To respond to what Foltz had brought up with the 40mm gun, they received a list of what weapons officers had used a couple days after the events. They only had a certain number of days to start filing complaints but the 40mm weapon uses were immediately put into Blue Team. Auditor Gissiner acknowledged that they might have missed some allegations with the 40mm weapon, and they could reopen the case if they wanted more information.

## **Investigation #1: Allegation of Excessive Force in Employee's Use of 40mm Long-Range Impact Weapon**

### **Summary**

- Supervisor A was assigned as a SWAT team leader and issued a 40mm "less-lethal" launch
- Supervisor A fired five 40mm rounds at four different individuals on the night of May 31.

### **Allegations**

<b>Allegation #1</b>	That Supervisor A used excessive force when deploying a 40mm round at two unidentified women.
<b>Allegation #2</b>	That Supervisor A used excessive force when deploying a 40mm round at one woman who was later arrested.
<b>Allegation #3</b>	That Supervisor A used excessive force when deploying two 40mm rounds at an unidentified male.
<b>Allegation #4</b>	That Supervisor A used excessive force when deploying a 40mm round at an unidentified male.

### **Preliminary Adjudications**

<b>Excessive Use of Force Allegations</b>	
EPD Chain of Command	Within Policy on all
Police Auditor's Office	Sustain #1, #3, #4 and Within Policy on #2 policy recommendations
Chief of Police	Within Policy on all

### **Decision Points**

Gissiner clarified to the public that if an adjudication was sustained that meant that they believed the officer violated policy.

- Conover thought that the case was very thorough. She clarified that the 40mm gun shot out was a sponge that was meant to slow people down. Auditor Gissiner clarified that the sponge round looked like a shot gun shell with rubber sides and only the tip was sponge. Conover noted that one officer talked about how it took a while to reload the gun and she wanted to know how long as she thought that it would have been better to chase after the person instead of reloading. She had one problem with the incident which was the second launch of the weapon.

- Cortez found himself highlighting the quote that stated, “risk of serious injury with 40mm gun was significant”. He wondered what the reason for using force in this situation was. Cortez mentioned to the public that they were tasked with determining if something was within policy, which did not always mean they approved of the actions made. When looking at these cases he tried to put himself in the shoes of those protesting.
- Foltz stated that the issue with this allegation dealt with policy and one officer. She did not like that SWAT members did not wear body cameras or the more combative military look that SWAT officers had. She thought that it created intimidation in peaceful situations. Foltz stated that shooting rounds at people fleeing felt wrong and that officers did not make any moves to arrest people and were just shooting into the crowd. She agreed with the auditor’s adjudication.
- Hames-Garcia was surprised that SWAT did not have body cameras and that protective vests obscured body cameras. He emphasized that if the department had money to buy Bearcats then they could find solutions to fix the body camera issues. He was surprised CRB members felt like the situation got better as the weekend went on as this incident happened at the end of the weekend when protestors were less violent. Hames-Garcia questioned why they would shoot at people if they were dispersing. He thought that adjudication for all incidents should have been sustained.
- Roseta agreed with the Chief’s adjudication. He might not agree with the use of the 40mm gun, but it was available to them and officers were told to use it. He pointed out that the officer that used the weapon was in full protective gear and that was why they did not chase after people. The other officers in the area were there to make arrests. Roseta noted that only a few rounds contacted people. He believed that all incidents were within policy.
- Whalen stated that the investigation was done well. He asked if it was normal to look at trainings officers had done when doing an investigation. Sgt. Nelson replied that it depended on the case, and they did not include that because it was not as relevant in this situation. Whalen noted that protestors were told they were under arrest and therefore the officers’ actions were within policy. He stated that this might be a reason for them to make policy changes. Whalen was also in favor of everyone wearing body cameras in these situations, even if they usually did not.
- Williams did not think that a 40mm sponge gun should have been used for crowd dispersal as she did not think that the punishment fit the crime. She mentioned that Chief Skinner wrote that officers were using outdated training methods. It was not outside of policy when officers were trained wrong. Williams was concerned because the officer involved was part of EPD’s training team. Even if policy did not change, training could. She thought that the 40mm sponge gun should not be in the same category as other impact weapons. It looked like a gun and changed how people reacted to it.
- Williams noted that there were four incidents in this case, and they would go through each one and say if they agreed with the adjudication or not. She mentioned that the Chief said all incidents were within policy. For incident one Conover, Whalen, and Roseta agreed with the Chief’s adjudication. For incident two Whalen, Rick, Foltz, and Conover agreed with the Chief’s adjudication. For incident three Whalen and Roseta agreed with the Chief’s adjudication. Conover agreed with the firing of the first round, but not the second. For incident four Whalen, Roseta, and Conover agreed with the Chief’s adjudication.
- Williams asked if anyone wanted any of the cases to be reopened. No one did.
- Auditor Gissiner remembered that EPD was going to get better video and audio for their Bearcat. He noted that did not seem to have happened. Sgt. Nelson told them that they

changed vendors for that equipment, and they noticed the same thing during the investigation.

- Foltz thought that CRB should vote and forward the memo that Deputy Auditor Pitcher wrote about policy recommendations to the Police Commission to look at. Conover wanted to wait until after the process debrief in January. There was so much information in front of them and they wanted more time to look at the policy recommendations before voting.
- Cortez noticed that for allegations three and four the report stated that the crime was disorderly conduct. He questioned how they were supposed to parse out if arrests were happening because of riots or disorderly conduct and curfew violations. Sgt. Nelson shared that no arrests were made on May 30 or 31, 2020 for rioting. Conover noted that just because it was declared a riot did not mean everyone in the area could be arrested under that charge. Chief Skinner said that riot was a declaration made based on the totality of the circumstances around crowd behavior that seemed violent. They had many conversations examining if an incident was a riot before declaring it. As the weekend went on, they tried to only use certain weapons when there was riot behavior and did their best to remove agitators from the situation.
- The vote was 4-3 in favor of the recommendations of the Auditor in Allegations 1, 2 and 3 and 5-2 for allegation #4.

## **Investigation #2: Allegation that Employee Used Profanity With a Community Member**

### **Summary**

- On May 29, a group of demonstrators walked up the westbound lanes of I:105. Two employees drove ahead of the group to attempt to stop them from moving further up the freeway.
- The employees were overtaken by the crowd. One employee was trapped in their vehicle, and demonstrators broke the windows of the vehicle.
- Supervisor A, while attempting to reach the employees, encountered the same crowd, who hindered their progress. Supervisor A's video captured them saying, "I'm going that way, [expletive]!"

### **Allegation**

<b>Allegation #1</b>	That Supervisor A used profanity while interacting with the public in violation of policy.
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### **Preliminary Adjudications**

<b>Allegation that Employee Used Profanity with a Community Member</b>	
EPD Chain of Command	Within Policy
Police Auditor's Office	Within Policy
Chief of Police	Within Policy

### **Decision Points**

- Conover thought that the investigation was thorough.
- Cortez knew that as a parent it was hard not to yell sometimes, but it still happened. He felt that this was a similar situation. Foltz agreed.
- Whalen mentioned that when he was on the Police Commission, he talked to the Policy Sergeant because he felt that profanity should not be used. They had argued for it to be used in certain circumstances just like what happened in this case.

- Everyone agreed with the Chief's adjudication. No one wanted to reopen the case.
- Foltz noted that she saw a lot of the officer that the case covered over the weekend and this seemed to be out of their usual character and was done tactically.

### **Investigation #3: Allegation of Excessive Force in Employee's Use of Baton**

#### **Summary**

- On the night of Friday, May 29, Officer A was part of a "field force" line working to disperse the crowd downtown. As the line moved through downtown, they encountered a group of three individuals who did not leave in response to orders from EPD. When the officers on the line got close to the individuals, Officer A pushed one of them forward with a PR-24 baton, and the woman fell.
- This was one of the few incidents where a person could be seen to be knocked to the ground with a baton. A reporting party called to complain that such an incident happened to their daughter.

#### **Allegation**

<b>Allegation #1</b>	That Officer A used excessive force during an encounter with the reporting party's daughter.
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#### **Preliminary Adjudications**

<b>Allegation of Excessive Force in Employee's Use of Baton</b>	
EPD Chain of Command	Within Policy
Police Auditor's Office	Within Policy
Chief of Police	Within Policy

#### **Decision Points**

- Conover noted that this was a case brought forward by someone from the public. When the office reached out to figure out which of the two events the person was complaining about, the individual did not respond. She appreciated that the Auditor's Office went ahead and included both incidents for review. Conover thought it would have been helpful to know where this took place. If it were on a busy road it would be harder to disperse than if in an open area.
- Cortez missed this allegation while going through the information and would sit out of the discussion.
- Foltz said that the body camera footage was hard to watch. People kept asking what they were doing wrong since they were being told to leave a public place. She appreciated one of the officers who tried to explain the problem. Foltz thought that this was within policy but still unpleasant.
- Hames-Garcia read out a civilian description of what it was like trying to talk to the officers at the scene. He appreciated Officer C's attempt to de-escalate the situation. He had a hard time with defining protestors as violent for not following orders. The people were protesting, not rioting. Hames-Garcia emphasized that passive resistance was not violence. When watching the footage, he was disturbed by the presence of the Springfield Police Department, since one of their officers used force. Hames-Garcia understood that EPD was overwhelmed, but he wondered if they could put their body cameras on the Springfield officers to help with transparency. He agreed with Foltz that the case was within policy but unpleasant.

- Roseta thought people not moving and yelling at officers did not show good citizenship. The officers were tasked with clearing the streets and that was what they were doing. He did not think that officers had a choice.
- Whalen noted that part of the crowd knew to move. He thought that officers used the right amount of force. Whalen agreed that the footage was hard to watch.
- Williams, Foltz, Conover, Roseta, and Whalen agreed with the Chief's adjudication. Hames-Garcia disagreed. Cortez abstained. No one wanted to reopen the case.
- Deputy Auditor Pitcher noted concerns from the group about the definition and use of the term "passive resistance".

#### **Investigation #4: Allegation of Excessive Force in Employee's Use of CS Gas Summary**

- On the night of Sunday, May 31, Officer A was assigned to an armored vehicle. The officer followed a crowd of demonstrators, giving admonishments related to the curfew.
- The group moved towards the University of Oregon campus, and the command decision was made to use CS gas to prevent them from entering the campus area.
- Officer A deployed two CS gas canisters from the top of the vehicle, and the second canister struck a person in their midsection.

#### **Allegation**

<b>Allegation #1</b>	That Officer A used excessive force when they struck a person with a tear gas canister.
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#### **Preliminary Adjudications**

<b>Allegation of Excessive Force in Employee's Use of CS Gas</b>	
EPD Chain of Command	Sustained
Police Auditor's Office	Sustained
Chief of Police	Sustained

#### **Decision Points**

- Conover said that there was a curfew in place and the officer had been courteous before and after these events. She noted that citizens could peacefully protest, and journalists could report on those events, but there were rules. The journalist was recording the scene and was not wearing anything to distinguish themselves from the public. She mentioned that the officer immediately noted that they hit an unidentified target and was remorseful. The officer tried to have a conversation with the reporter to discuss their points of view. She believed that the case should be sustained, but they should consider all factors. Roseta agreed with Conover's statements.
- Cortez thought it was a bad look to have an armored vehicle in a parking lot with two people in it and that the use of CS gas was unnecessary. This case underlined the repeated calls to abolish the use of CS gas. One of the responsibilities that the CRB had was to build trust with the community. Cortez appreciated that the officer self-reported.
- Foltz asked if preventing access to the University was worth using force. She appreciated that after the events took place, the officer was cooperative and showed remorse and empathy.
- Hames-Garcia said that there was no evidence that the group involved was causing damage. He brought up that trust needed to be built between the police and the community and emphasized that this needed to be done on both sides. Officers

showing up in a Bearcat and body armor did not instill trust in the community. Conover thought that since this event happened on Sunday, it was hard for officers to trust that people would not break into a riot after the events on Friday night. They agreed that it was a two-way street, but this was a complicated situation.

- Whalen stated that officers had to see where they were throwing the gas, no matter the circumstances. He also appreciated that the officer self-reported this incident.
- Williams thought it was unnecessary for the journalist to make themselves known in this circumstance. There was no threat to the officers and therefore the use of CS gas was not needed.
- Everyone agreed with the auditor's adjudication. No one wanted to reopen the case.
- Deputy Auditor Pitcher wrote down recommendations surrounding having video on the BearCat and not using tear gas.

## Investigation #5: Allegation of Excessive Force in Employees' Use of PepperBalls

### Summary

- On May 29, Officer A and Officer B were issued PepperBall launchers and assigned to assist with crowd dispersal and crowd control. They fired hundreds of PepperBall rounds between the two of them over the course of the night.
- On May 31, Officer A and Officer F (both with PepperBall launchers) responded when a supervisor called for assistance. Officer A fired numerous PepperBalls at a person approaching the supervisor.

### Allegations

Officer A	<ul style="list-style-type: none"> <li>• That Officer A used excessive force when firing hundreds of PepperBalls.</li> <li>• That Officer A used Pepperballs under conditions where they could affect innocent bystanders.</li> <li>• That Officer A used excessive force when firing PepperBall rounds in a specific incident on May 31.</li> </ul>
Officer B	<ul style="list-style-type: none"> <li>• That Officer B used excessive force when firing hundreds of Pepperballs.</li> <li>• That Officer B used PepperBalls under conditions where they could affect innocent bystanders.</li> </ul>

### Preliminary Adjudications

Allegation of Excessive Force in Employees' Use of PepperBalls	
EPD Chain of Command	Within Policy on all
Police Auditor's Office	Within Policy on all
Chief of Police	Within Policy on all

### Decision Points

- Conover said that their job as a review Board was to review the investigation that took place. While she might not agree on tactical decisions that happened it was not their



job to second guess that. She thought that since there were two officers out using the PepperBalls in the same way, it was hard to say the use was excessive.

- Cortez begrudgingly agreed with the adjudication. He emphasized that de-escalation was key.
- Foltz appreciated the level of detail in this investigation. She shared that looking at the trainings each officer had, helped her with this case. She noted that when talking about PepperBalls, it said that no serious injury resulted from them, which was not true. She thought that officers were not being given all the information necessary for the weapons they were using and might not know all the consequences, and believed that the policy should be changed along with training.
- Hames-Garcia acknowledged that he had been hit by a PepperBall before. He said that it hurt but it did not deter him. He also brought up the issue of vests covering body cameras. There seemed to be inconsistencies in when officers thought they should use the PepperBalls, which showed an issue with training.
- Roseta said that their job was to decide if the actions taken were within policy or not. He thought that in this case it was within policy.
- Whalen struggled with figuring out when using the PepperBalls became too much. He noted that the PepperBalls were effective in getting people to move, but there was less potential for people to get hurt if the officers used them right. Whalen said that it was within policy.
- Williams questioned why the PepperBalls were fired if the intention were not to harm and if it was not really pepper. Sgt. Nelson replied that they gave the idea that it was actually pepper so that people would run. Williams asked if it was typical for officers to have all inert or all powder rounds and if they were aware of which type they had. Sgt. Nelson was unsure how weapons were dispersed to officers. He knew that officers on the scene were looking for more Pepperballs and CS gas.
- Foltz mentioned that this was the case where other members of the community were threatening to do the officer's jobs if they did not. She understood that this would put a lot of pressure on the officers.
- Everyone agreed with the auditor's adjudication. No one wanted to reopen the case.
- Deputy Auditor Pitcher said that the recommendations they found for this case were on training and policy around PepperBalls and officers having their protective vests in front of their body cameras.

## **Investigation #6: Allegation of Poor Judgement by Supervisor in Instructions to Subordinate Employees**

### **Summary**

- On May 29, Supervisor A was assigned to direct officers into a field force team to disperse what had turned into a riot. Supervisor A's instructions to the team were captured on body worn video and were determined to warrant a deeper look.

### **Allegation**

<b>Allegation #1</b>	That Supervisor A's directions to their team illustrated poor judgement in violation of policy.
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### **Preliminary Adjudications**

**Allegation of Poor Judgement by Supervisor in Instructions to Subordinate Employees**



EPD Chain of Command	Within Policy
Police Auditor's Office	Within Policy
Chief of Police	Within Policy

## Decision Points

- Conover thought it stood out what was said when it came from a Supervisor. The officer talked about how the crowd was pushing against them and they were underprepared. She thought that what the Supervisor said reflected that lack of preparedness and was not meant to incite violence.
- Cortez noted that people made decisions based on what they were feeling and seeing. Supervisor A had worked 15 hours straight, and it was hard to make the right decisions after that long. He felt that this case boiled down to a workplace issue.
- Foltz agreed and said that if they wanted a functional public wellbeing apparatus, then officer wellbeing was at the center of that. She asked how they could except care from those that were not being cared for and noted that there was “us versus them” language used which divided the community.
- Hames-Garcia found the language used disturbing but understandable under the circumstances. He felt that the sports analogy used separated the officers from the community.
- Whalen understood that this was a tough evening but those in leadership positions needed to step up. He found it troubling that this incident was within policy. He also thought that an “us versus them” narrative had been set up.
- Williams appreciated the points that were brought up by everyone. She felt that it was within policy, but that it was not how a supervisor should act.
- Williams, Hames-Garcia, Foltz, Cortez, Conover, and Roseta agreed with the Chief's adjudication. Whalen disagreed. No one wanted to reopen the case.
- Deputy Auditor Pitcher said that the recommendations they gleaned from that discussion were officer wellbeing and training around a guardian mentality. Cortez liked what Whalen said about the standards for leaders in the department being as important to this issue. Foltz agreed and noted that this could be applied to a few of the cases they had looked at.

## Review of Related Incidents Reviews, Inquiries, and Service Complaint

- Williams stated that there were seven additional incidents and they would go into detail on the cases CRB members wanted to talk about.
- Conover did not have anything that jumped out at her and asked where the responsibility of the public came in. Officers could not just let them do whatever they wanted and block streets.
- Cortez had been thinking about what showing up in a tank communicated to people. He wanted less militarized police help and emphasized that people could not help the connections their brain made when a tank showed up.
- Foltz appreciated the transparency shown in the seven cases. She did not think anything else needed to happen with them.
- Hames-Garcia had seen a video from a community member concerning the PepperBall case. He was unsure what to say since the case did not include that video but wanted to acknowledge it. He appreciated all the hard work that went into the cases presented to them that night.

- Roseta appreciated everyone's comments throughout the evening. He thought it showed many different perspectives and helped them all learn.
- Whalen mentioned that a lot of the cases brought to them to be reviewed were brought up internally. He wanted to comment on property damage and how people's livelihoods were tied to their business. The destruction was not a thing to take lightly and noted that personal information could be stolen when damage occurred.

## Closing Comments

- Conover read out that the responsibilities of the police was to protect life, personal and public property, and maintain public peace. Racial injustice might have taken a back seat to their discussion that night, just like it had over the events of the weekend they talked about. There were those in the community that wanted to march for that cause, and their words were lost because of the actions of others. The burning and looting of property did not help the cause of racial injustice. Conover noted that officers who had been on the force for 20 or 30 years had been put into situations they had never encountered before. She was grateful for CAHOOTS, which was gaining recognition throughout the country for their work.
- Cortez thanked everyone behind the scenes for making this discussion happen. He talked about how the destruction of property to invoke change was a very American idea. Cortez did not condone or participate in it but understood it would continue to happen. He said that they needed to invest not in military garb but in officers having better working conditions.
- Foltz wanted to take a closer look at policies 316, 317, 318, 800, and 808. She also shared that she did not condone the destruction of property but felt that the issue of saving human lives was more important.
- Hames-Garcia stated that modern policing dealt with the protection of upper middle-class possessions and that these riots were coming from somewhere.
- Williams knew that getting all the video prepared was not easy and thanked the staff for their hard work and Board members for their discussion.
- Deputy Auditor Pitcher thanked the Board for all their work and said that this case tested their office. They were proud of the work that was put out.