

2012 Annual Report Civilian Review Board

Eugene City Council
June 10, 2013



2012 Overview

- CRB met 12 times
 - 10 public meetings
 - 1 tour of EPD Property Control & Forensics Evidence Unit
 - 1 Executive Session to evaluate Auditor's performance
- Reviewed 13 cases

CRB Case Review

- January – allegation of use of force, courtesy, unbecoming conduct and truthfulness.
 - Auditor recommended adjudication of unfounded; EPD agreed.
 - CRB concurred.
- February – allegation of violation of constitutional rights and excessive force (OC spray and head injury)
 - Auditor recommended adjudications of within policy and unfounded for the use of force allegation (per officer, respectively) and unfounded for the constitutional rights allegation. EPD so adjudicated.
 - CRB concurred.
- March – allegation of excessive force; Auditor allegation of performance for failing to properly care for arrestee in custody.
 - Auditor recommended adjudication of unfounded for the use of force allegation and sustained for unsatisfactory performance allegation. EPD so adjudicated.
 - CRB concurred.

CRB Case Review

- April – Allegation of racial profiling during traffic stop in a school zone
 - Auditor recommended adjudication of unfounded; EPD so adjudicated and CRB concurred.
- May – 2 cases reviewed:
 - Allegation that officer failed to take proper care of a DUII subject in custody when he did not accommodate her requests for a restroom.
 - Auditor recommended adjudication of sustained; EPD so adjudicated and CRB concurred.
 - A vehicle pursuit of a car with stolen plates leaving a store in violation of policy
 - Auditor recommended adjudication of sustained; EPD so adjudicated and CRB concurred.

CRB Case Review

- July – 2 cases
 - Allegation of abuse of position related to a noise complaint.
 - No abuse of position was found to have occurred; CRB concurred but questioned whether the arrest made sense under the totality of the circumstances.
 - CRB also questioned officer's judgment.
 - Allegation of discourtesy related to protest outside of a social service agency.
 - Auditor recommended allegation be sustained; EPD so adjudicated and CRB concurred.
- September – allegation of violation of constitutional rights violation and improper report preparation
 - Constitutional rights allegation was unfounded following statement from City Prosecutor that officer developed probable cause for the arrest.
 - Insufficient evidence to adjudicated the report allegation.
 - CRB concurred with Auditor's recommended adjudications; Board was concerned about lack of de-escalation.

CRB Case Review

- October – allegation and policy complaint
 - Allegation of discourtesy and unbecoming conduct related to pedestrian violation.
 - Courtesy: Auditor recommended adjudication of insufficient evidence; EPD chain of command recommended unfounded. Chief adjudicated as unfounded.
 - Unbecoming Conduct: Auditor recommended adjudication of unfounded; EPD so adjudicated.
 - CRB concurred with adjudication recommendations.
 - Policy complaint related to EPD response to an Occupy protest
 - Investigation showed that response was within policy, though likely could have been handled better. CRB agreed with classification and findings of investigation.

CRB Case Review

- November – allegation of excessive force (Auditor-initiated) related to use of physical force, OC spray, and threatened use of Taser.
 - Auditor recommended adjudication of within policy; EPD so adjudicated and CRB concurred.
 - A number of Board members were concerned that officers missed opportunity to improve community relations and failed to de-escalate.
- December – allegation of unbecoming conduct and excessive force (internally reported) related to arrest of juvenile.
 - Auditor recommended adjudication of sustained; EPD so adjudicated and CRB concurred.

CRB Training

- Kids First presentation (DA's office)
- Eugene Mission Tour with Mission Staff
- Tour of Forensics Evidence Unit and Property Control Rooms with EPD
- Tour of new EPD headquarters
- Report from Auditor on National Association for Civilian Oversight of Law Enforcement (NACOLE) conference
- Policy discussions on responsibilities of officer when subjects are refused at the jail based on a medical evaluation
- Joint meeting with Police Commission; discussion of annual reports of Police Auditor, Internal Affairs, CRB and Police Commission